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Vol 6



THE ANNALS OF BANFF

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in 1779.

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The
Annals of Banff

COMPILED BY
WILLIAM CRAMOND, M.A.
SCHOOLMASTER OF CULLEN

VOLUME FIRST

ABERDEEN
Printed for the New Spalding Club
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PREFACE.

THE aim of this work is to present with accuracy and completeness a record of all noteworthy incidents in the life of the royal burgh of Banff, so far as this can now be gleaned from all available sources; and to introduce such details as may serve to illustrate the municipal, social, and religious life of a northern burgh.

The records of Banff have fortunately been fairly well preserved, and they are not so extensive but that an exhaustive account of the contents thereof may be given within reasonable limits.

As illustrative, moreover, of burghal life, it so happens that the records of Banff will compare favourably with those of many of our larger burghs, partaking as they do in many respects less of the parochial character than several that might be named.

Situated as Banff was in the neighbourhood of fertile fields, at the mouth of a productive river, and with a bar erected by the friendly co-operation of river and sea, and thus forming a harbour of refuge well suited to the wants of early navigation, the burgh could scarcely fail, in very early times, to attract settlers, and must have been one of the first in the North to be endowed with burghal rights and privileges. It was, we know, one of the northern Hanse, and for centuries it has been one of the line of northern burghs that stretch from Aberdeen to Inverness, at singularly regular distances, forming an outpost

of defence against foes, and a centre of civilization to a wide district around.

The records of the burgh present some noteworthy features. They show a Head Court, with a prolonged history, surviving to the present day; they give examples of the lengthened continuance of old laws and customs, and the endurance of old-world ways among the inhabitants; they illustrate in not a few instances how an exhaustive examination of original records modifies views long held regarding persons and places; they show, as in the case of certain other burghs, on how slender a foundation of fact previous writers, and even Parliamentary Commissioners, have indulged in the attractive theme of denouncing ancient alienations of burghal property; they reveal an interesting phase of the kindly and paternal character of ancient burghal government,—the presentation of the freedom of the burgh, with hospitable surroundings, not only to almost all distinguished strangers who happened to visit the town, but also to ladies, and to the children of the gentlemen of the town and neighbourhood; and they set forth a most unusual array of examples of the affection entertained to their native town by townsmen, who, having prospered at home or abroad, bequeathed their means to charitable, educational, or religious objects connected with the town. They show, moreover, as the records of most Scottish burghs do, the great poverty of our country in early times, and the striking and steady advance made in the course of the last two or three centuries in all that makes life worth living. Of the share that Banff had in affairs of national importance, there is comparatively little to record, except the part therein played by her valiant sons, but

it is interesting to listen, in the records of a remote northern burgh, to the echoes of victories and such like, though it be but the "solemnizing" the events over a few bottles of wine.

It has been the aim throughout to employ the exact words of the original records, as far as possible, and with reference to the extracts themselves, although opinions will necessarily differ as to what, in the words of Sir James Balfour, is "pertinent to a Annall," the compiler, having judged the best preparation for deciding this question was first to peruse almost every available work of a similar character that has hitherto been published in Scotland, thereafter made the extracts from the local records, keeping in full view the information he had thus previously acquired.

As for the general plan of the work, while the main aim was to arrange it chronologically, it so happened that other considerations determined certain modifications of that plan to this extent, that while in the early course the narrative flows in a single stream, it was found impossible as it proceeded to prevent its breaking up into several *strins*—to use a local term—from which, however, accrued certain advantages.

In the second volume the extracts are given in a collected form under the several headings, (1) The Church, (2) The School, (3) The Harbour, and (4) The Salmon Fishings, after which appear lists of the provosts of the burgh and commissioners to Parliament and to the Convention of Burghs. That volume also contains a transcript of the ancient charters of the burgh, and certain miscellaneous matters, such as a list of all persons recorded to have received the honorary freedom of the burgh, a few genealogical trees of notable families connected with the

burgh, &c., and in conclusion is given, besides several Illustrations, a complete copy of all inscriptions on the tombstones of the old Churchyard, with personal and explanatory notes.

I beg to express my obligations to all who have contributed towards this work, especially to the Provost, Magistrates, and Town Council of the Royal Burgh, for the unrestricted use of all books and documents relating to the burgh, to the Minister and Kirk Session of the parish for a similar use of all records in their custody, to the Registrar-General for the other existing sessional records of the parish, to the Sheriff-Clerk of the county and the officials in the Sheriff-Clerk's office, and to the Town Clerk and the officials in his office. I have also to express my grateful thanks to the Countess-Dowager of Seafield, Cullen House; Sir Robert Abercromby, Bart.; Mr. Rose-Innes of Blachrie; Mr. Alexander Ramsay, *Banffshire Journal*; Mr. Alexander Colville, The Castle; Rev. James Davidson, The Parsonage; Mrs. Coutts, Athole Cottage, Banff; Messrs. John Yeats, A.M., Banff; Alexander Hutcheson, Broughty-Ferry; H. A. Rye, Dunrobin; J. Christie, Aberfeldy; Thomas J. Anderson, Buckie; and P. J. Anderson, the courteous Secretary of the Club.

The "Rose Letters"—a large collection of original letters of the close of last century—have proved very serviceable.

It were tedious to enumerate all the printed works that have been consulted, but one is pre-eminently worthy of mention for the general accuracy of its information and its literary excellence—"Banff and Neighbourhood," a guide book to the district, written, as was ascertained while this work was passing through the press, by Mr. Andrew L. Nicol, late sub-Editor

of the *Banffshire Journal*. Mr. James Imlach's "Chronicles of the Old Churchyard" have also been found valuable.

In reference to the Illustrations, thanks are due to Mr. G. G. Milne, London, for kindly granting the use of the "View of Banff in 1779" (in which, it is necessary to remark, the artist has introduced the Parish Church in anticipation of its erection); to Mr. Robert Leask, Banff, for plans of the town and neighbourhood; and to Mr. Alexander Rae, photographer, Banff, and to Messrs. Taylor & Henderson, lithographers, Aberdeen, for the care and fidelity shown in their part of the work. From the illustrations of the old burgh seals it will be observed that the present arms of the burgh—the Virgin and Child—were not adopted till the fifteenth century. The facsimiles of the signatures of persons connected with the burgh were, with one or two exceptions, all traced from originals by the compiler of this work.

W. CRAMOND.



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A

Heritors.

- | | |
|--|---|
| (1) George, 3rd Lord Banff (1670). | (8) James, 4th Earl of Findlater and 1st of Seafield (1722). |
| (2) Alexander, 6th Lord Banff (1753). | (9) Lord Deskford (1759). |
| (3) Walter Curror of Inchdrewer (1567). | (10) James, 5th Earl of Findlater and 2nd of Seafield (1755). |
| (4) Earl of Airlie (1670). | (11) James, 6th Earl of Findlater and 3rd of Seafield (1770). |
| (5) George Ogilvy of Dunlugas (1621). | |
| (6) Walter Ogilvy, far of Dunlugas (1621). | |
| (7) James, 3rd Earl of Findlater (1670). | |

B

Heritors.

- | | |
|------------------------------------|---|
| (12) William Duff of Braco (1724). | (17) Duke of Fife (1889). |
| (13) Lord Macduff (1763). | (18) Sir Alex. Ogilvie, M.P. (1702). |
| (14) Baron Braco (1749). | (19) Sir George Abercromby of Birkenbog (1793). |
| (15) James, 2nd Earl Fife (1794). | (20) Peter Russell of Montcoffer (1702). |
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C

Ministers.

Schoolmasters.

- | | |
|-------------------------------|-------------------------------|
| (21) Alexander Setone (1620). | (28) Robert Brown (1633). |
| (22) Alexander Setone (1663). | (29) James Petrie (1649). |
| (23) Patrick Innes (1696). | (30) William Mair (1663). |
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| (27) William S. Bruce (1891). | |

D

Schoolmasters.

- | | |
|-------------------------------|---------------------------------|
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| (50) George Baird (1633). | (59) Robert Stewart (1721). |
| (51) Sir James Baird (1647). | (60) George Gairdn (1729). |
| (52) Alexander Douglas, M.D. (1644). | (61) William Duff (1732). |
| (53) Alexander Leslie (1695). | (62) Alexander Innes (1741). |
| (54) Walter Steuart (1694). | (63) Patrick Forbes (1741). |
| (55) Alexander Sanders (1708). | (64) James Innes (1744). |

BANFF IN PRE-REFORMATION TIMES.

EARLY REFERENCES.—VISITS OF KINGS DAVID I., EDWARD I., AND DAVID II.—SLAVERY.—

BURGH CHARTER OF 1372.—TRADE.—THE CASTLE.—VISITS OF QUEEN MARGARET,
THE QUEEN REGENT, AND QUEEN MARY.—INDENTURE WITH SIR JAMES OGILVIE.—

EXTRACTS FROM COURT BOOK (1546-1553) AND CHURCH ACCOUNTS (1547-1552).—

LICENCE TO REMAIN FROM FALA MUIR.

BANFF IN PRE-REFORMATION TIMES.

IT is interesting, but not always satisfactory, to attempt to trace in record the earliest reference to a town or district, and the case of Banff furnishes no exception to the general rule. The geographer Ptolemy lived about A.D. 139-161, and in the original Greek text of the *Geographia*—if it is not interpolated—occurs a reference to the river Celnus. Chalmers, author of the *Caledonia*, in a previous generation, and Dr. Skene, in the present day, have identified the Celnus with the Cullen burn. Weems, in his explication of Ptolemy's names of places, is of opinion that the mouth of the Celnus refers to the Deveron, from Gaelnic, meaning white. It so happens that the usual derivation of Deveron is more allied to black than to white, but to etymologists this is not an insuperable difficulty. In the Itinerary of Richard of Cirencester we find the Celnus explained as the Deveron, but the Itinerary is no longer an authority on this or any other question.

Dufeyrar occurs in the Orkneying Saga as the place to which Swein sailed; "he had a north-west wind to Dufeyrar, which is a trading place in Scotland." The accomplished editor of *Orig. Par. Scot.* "is of opinion that the Dufeyras of the Sagas, an emporium of Moray, and hitherto conjectured to be Banff, was no other than the old Roman station, Burghead."

Certain early references to the town of Banff and certain early forms of the word Banff are by no means reliable. For example, the charter of King Malcolm, in the Register of the Bishopric of Aberdeen, on the barony of Murthill (1163), and signed "apud Banf," is not genuine. The oft-quoted early forms of the word, viz., Bainiffe, Boiniffe, &c., do not occur at all in any ancient writing, and the forms somewhat similar thereto occur, as is apparent by the context, only by mistake. For

example, in "The Memoirs of North Britain" (1715) occurs among a list of Commissioners to the Scots Convention Parliament, March, 1688, "Walter Stewart, Benuff," which is an evident error, for "Banff" occurs in another part of the same work, while Culross and Lauder appear under the unknown forms Cubross and Lander. The spelling has remained singularly constant throughout all its history, as a few examples at different dates will show—1124-53, Banef; 1185, Banb; 1211-14, Banef; 1289, Banff; 1296, Banef; 1323, Banf; 1484, Banffe; 1497, Banff, &c. Various derivations have been given of the word, the more common of which connect it with the word Boyne, which is stated to be apparently the Gaelic word *buinne*, a stream. Others suggest Ban-ath, white ford. Rev. Allan Sinclair, Kenmore, remarks: "Banff is a contraction of Bean-naomh, the holy woman, and the burgh coat-of-arms, we believe, bears evidence to this."

The history of Banff reaches back to far distant times. The Royal Commission on Market Rights and Tolls state that David I.'s charters to Dunfermline and other documents of his reign show that "the free hanse" of the northern burghs (which probably included Aberdeen, Banff, Elgin, Forres, Nairn and Inverness) was in existence before 1124.

One of the earliest notices of the town shows that it had a residence suitable for a King in very ancient times, for King David (1124-53) granted a charter "apud Banef" to the monks of Urquhart.

Not long after it appears from the Register of the Bishopric of Moray that William the Lion gave a toft and garden (1189-98) in the burgh of Banff, as well as in certain other burghs, to the Bishop of Moray.

A reference to Banff occurs in connection with Andrew, Bishop of Caithness, who died in 1185. He is witness to a document engrossed in the Book of Deer, whereby David I. declares the clerics of Deer to be free of all lay interference and undue exaction, "as it is written in their book and as they pleaded at Banff [apud Banb] and swore at Aberdeen."

By the year 1290, at least, there was a Royal Castle at Banff, for in that year there is entered, among the expenses incurred by King Edward with reference to the affairs of Scotland, provisions supplied to various Castles, and, among others, to Robert de Gray, keeper of the Castle of Banff, daily 2s. 6d. Next year, Robertus Gray, Castellan of Banff, grants a receipt for his stipend, £9, received from Alan, son of Reginald, Clerk of the Sheriff of Banff. The receipt is signed at Banff in that year.

Of the same date (c. Nov. 11, 1291) is a receipt by the same Castellan to Eymer Cumyn for £8 sterling, his pay at that term, viz., £4 for the thanage of Abirkerdour, and £4 for Convathe. Of date April 1st, 1292, is a receipt by Robert Gray, Castellan of Banff, to Malcolm de Ferindract for £9 sterling, viz., £4 of the arrears of Convathe, and 100s. of the "waytinga" of Aberkerdir by John Lippe for Martinmas last (Chapter House—Scots Documents).

The next Royal personage that visited Banff after David was King Edward in 1296. From a MS. of the 14th century in the Imperial Library at Paris, it appears that he crossed the Tweed with 5000 armed horse, and 30,000 footmen, arrived on Sunday, 22nd July, "a Banet chastelle," having been the previous day "a Fyvin chastelle," and arrived the day following "a Incolan maynor"; and in this connection we can scarcely fail to wonder how such journeys could have been accomplished by large bodies of men in such a short space of time, had the roads then been as they have been described in the succeeding centuries. In his journey north Edward received at Montrose the submission of Baliol. After he had defeated Wallace at the battle of Falkirk Edward again marched north, and visited Banff Castle a second time on the 4th Sept., 1298. King Edward returned from Elgin by Rothes, Balvenie, Kildrummie, &c. On 4th September, 1303, Edward was again at Banff on his way to Kinloss. In 1309, he gave orders for the supply of provisions to his Castle, and to Banff were ordered to be supplied 50 quarters wheat, 50 quarters malt, and 10 casks wine. This Castle appears to have been the last stronghold held by the English north of the Grampians. There is every reason to believe that the Castle walls still standing were the identical walls that guarded the Castle in the days of Edward.

Among the records of the burgh of Aberdeen of date 1289 is a complaint by the aldermen and burgesses of Banff to the wardens of the realm of Scotland against the burgesses of Montrose for troubling the fairs established in the Burgh of Aberdeen by King Alexander III. for the use of the burgesses of Banff, and of the other burghs on the north side of the Mounth.*

The first recorded Sheriff of Banff is Richard de Strathewan, who in 1264 expended money on behalf of Alexander III. on the repair of the House of Inverculan. In 1305 King Edward I. appointed Walter de

* Charters, &c., No. I.

Berkele as Sheriff. In a charter of Achterspyny, of date 1309, a witness is H. de Banff, treasurer of the Cathedral of Elgin. An inquisition was held at Banff in 1342, regarding the second tithes due to the Bishops of Aberdeen, Machabaeus Duff, and others acting as "inquisitores," when it was found that the Bishop's right to the tithes was well established, and had been in use from time immemorial.

From the Exchequer Rolls of the same year it is seen that David II. with his Queen and his sisters passed a night at Banff, and that the "prepositi" of the burgh incurred an expense of 10s. 9d. in connection therewith. It was evidently on the occasion of this visit that the King purchased clothes and furs to the value of £9 7s. 8d. from Bridinus, butcher at Banff.

An interesting legal process—the brief *de nativis*—finds an illustration in connection with the Sheriff Court of Banff in 1364, probably the last recorded instance of slavery in these parts, when an assize found that the three men in dispute—Robertus de Curry, Newynus de Achres, and Donaldus Rogerson—were the native and liege men of Alexander, Bishop of Moray.

The year 1372 is an important era in the history of the burgh of Banff, for in that year King Robert II. granted a charter to the burgh, which charter is still in existence, and is in good preservation. No reference to an earlier charter is made throughout all the burgh records. The King granted for 50 merks annually, to the inhabitants, all the burgh, with the provostship lands, called Cathnelpy, the cruives, and fishings on Deveron, mills, petty customs, pastures, &c.

Prior to that period the payment to the Crown was made, as we learn from the instructive and interesting preface to Vol. I. Exchequer Rolls for Scotland, in a different manner. Originally each burger for his toft or tenement was a Crown vassal, paying a fixed yearly rent. Officers appointed by the Crown gathered these rents. To the King also belonged the fines awarded in the courts of the royal burghs, and the burghal toll, or *parva custuma*, which were collected by the same Crown officers. But about the beginning of the 14th century a change occurred—the burgesses got short leases from the Chamberlain, by which, for a specific reddendo paid to the King, they obtained a right to the rents, issues of court, and petty customs. The officers who accounted for the fermes were, during the first half of the 14th century, generally called "prepositi," and

occasionally "ballivi," the latter name having probably survived from the period when the collectors of the fermes were Crown officers. The word "prepositus" in this sense is not to be supposed to correspond to the modern "provost." Out of the charters of leasing the burghs grew another arrangement, by which the burgesses got charters of feu-farm from the Crown, converting their tack into a perfect right; thus Banff in 1327 paid of rent about £20, which was subsequently raised, so that even a few years prior to the aforesaid charter Banff paid 50 merks, that is, £33 6s. 8d. From time to time the fermes of Banff were let to various individuals—thus in 1367 we find them let to Queen Margaret, in 1370 to John of Kylvynton, and for some years prior to 1500 to Alexander, Earl of Buchan.

The officers in whose name the accounts of Banff in these times run were designated either Sheriffs, Farmers, Prepositi, Bailies, or Custumars. The published records give the following :—

SHERIFFS.

- 1264 R. de Strathewan, Sheriff of Banff.
- 1328 Hamelin de Trupp, do.
- 1358 William de Foddiryngham, do.
- 1456 Sir Walter Ogilvie of Deskford.
- 1501 Alexander, Earl of Buchan.

[In the case of the two last it is the accounts of the Shire and not of the Burgh that are concerned.]

FARMERS.

- 1327 William, son of McBeth and Colin Fyd.

BAILIES.

- 1328 William Fisher.
- 1365 Robert Clerk.
- 1372 Robert Logan.
- 1377 John, son of Symon; and Henry, son of Malcolm.
- 1378 John, son of Richard; and William, son of Dyky.
- 1379 Henry, son of Malcolm.
- 1382 John Chepman.
- 1425-6 Andrew Curroure and David Chepman.

- 1429 William de Garntuly.
- " Andrew Curroure and William Prat.
- 1435 Alex. Goslyn and William Prat.
- 1441 Wm. Prat.
- 1451 Andrew Curroure.
- 1459 James Baird.
- 1467 Patrick Prat.
- 1471 Do.
- 1477 John Cur.
- 1481 John Colysone.
- 1486 George Curroure.
- 1501 Thomas Bard.

PREPOSITUS.

- 1340 Bethinus, son of James and Stephen Dyer.

CUSTUMARS.

- 1375 John de Innerpefir and John, son of Symon.
- 1381 Thomas Spring and John Symson.
- 1389 Alex. Williamson and William de Dunbar.
- 1425-6-8-9 And^w. Curroure and Wm. Prat.
- 1434 William Prat.
- 1451 Andrew Curroure and James de Fotheringhame.
- 1477 Sir James Ogilvie of Findlater.
- 1480 Do.
- c. 1492-9 Alexander, Earl of Buchan.
- 1500 George Curroure.
- 1506 Do.

Some idea of the trade of Banff in early times may be gathered from the Custumars' Accounts, as published in the Exchequer Rolls for Scotland. For the year 1424—Andrew Curroure and William Prat, custumars—the custom of 15 sacks 6 stone wool, 111 woolfells, and 28 daces hides,* exported in one ship at the port of Banff, amounted to £26 16s. 1d. Only the small sum of 6s. appears in the discharge, being

* Wool :—1 sack=24 stones ; 1 last=10 sacks.

Woolfells :—1 last=20 daces ; 1 dacre=10 or 12 hides.

the fees of the custumars and of the tronar, and the balance is assigned towards payment of £61 8s., due to the burgesses of Banff by the King for salted salmon received for the King's use. The customs of Montrose for about the same period were £123, and Aberdeen £365. In 1428, the customs rose to £76, the several items being 3 lasts wool, 235 woolfells, 4 daces of hides, a small quantity of woollen cloth, and custom salmon, the last item amounting to £27. The total also included £5 for English cloth sold in the burgh.

Another class of accounts—the accounts of the Bailies and “Prepositi”—are still extant for a considerable period. One example may be given. For 1426 these show in the charge the sum of £33 6s. 8d., being fermes of the town and waters by feu-charter, whereof £3 6s. 8d. is paid to the Bishop of Aberdeen as second tithes, and £4 to the heir of the deceased David Edmonston, Lord of Boyne, and the balance to Sir John Forstar, Chamberlain.

During the year 1428-9, custom was paid on 792 woolfells with wool and hides exported in one ship at the port of Banff, and on 22 Hamburgh barrels and 20 small barrels of salmon. In the accounts for 1434 are included six fox skins. From Michaelmas, 1450, to July, 1451, were exported 19½ barrels salted salmon.

The ports from which salmon were principally exported early in the 15th century were Aberdeen, Banff, and Montrose, and the average yield of the duty was about £115, corresponding to £920 worth of fish. The trade of this country was then not so much with England as with the Low Countries. In the early part of the 15th century, traders who had been commissioned to bring merchandise from London or from abroad were paid largely in salted salmon, purchased for them by James I. at Montrose, Aberdeen, or Banff, and in remission of customs thereon. Thus we observe the King was in use to pay for the goods he got from abroad by an exchange of commodities. In the Customs Account of Banff for the year 1390-1 occur payments to account of 100 merks, granted by the King to Sir John Hay of Boyne and Enzie, who was married to the King's niece, Margaret Stewart. Their daughter was second wife of Alexander, 1st Earl of Huntly.

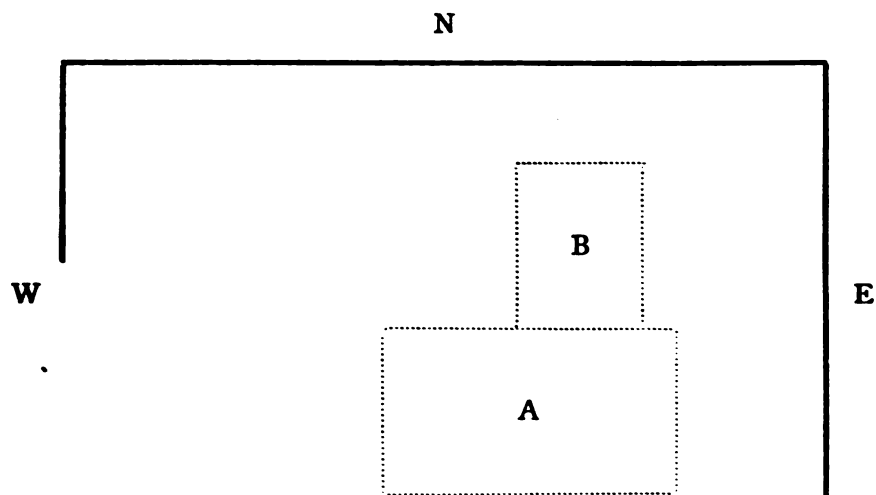
From 1476 to 1481 the yearly export of salmon from Banff was 183 barrels, each barrel being probably 436 lbs. The average yearly export, 1537-41, was 238 barrels. The quantity sent from the whole of Scotland

at that period nearly equals the quantity sent to London from Scotland for several years prior to 1884. The export afterwards declined, for the average of the two years 1555-6 was 114 barrels, and the average for the nine years 1573-81 was 103 barrels. Salmon appears to have been exported from Aberdeen so early as 1281. In the second half of the reign of James III., Banff paid £47 of custom for salmon, the total paid for Scotland being about £310.

Even in these early times frequent reference is made in charters to

THE CASTLE OF BANFF.

The oldest building in the burgh whose remains still exist is without doubt the Castle, or, more correctly, the Castle walls. An idea will be formed of the present extent of the walls and their relation to the modern building from the following :—



The above is drawn approximately to scale. The ancient walls are represented by thick black lines. Modern buildings dotted. (A) Built by Lord Deskford in 1750 (58 ft. 1 in. x 30 ft. 2 in.). (B) Supposed to occupy the site of the house in which Archbishop Sharp was born, and which house extended up to the old wall, and was demolished 1816-1820. Modern erections are also symmetrically annexed to the southern extremities of the east and west walls.

Length of east wall, 82 feet.

Length of north wall, 144 feet 6 inches.

Length of west wall, 36 feet 4 inches.

Height of the walls, 18 feet.

Breadth of the walls, 6 feet 4 inches of solid masonry, and in perfect preservation.

The following figures give details of what appear to have been the fosse and intrenchment :—

Fosse—

250 feet on the north side of the Castle wall.

156 feet on the east side of the Castle wall.

20 feet deep.

44 feet broad across the top.

19 feet broad at the bottom.

Intrenchment—

Extends the whole length of the fosse on the north and east sides thereof, and is

12 feet broad on the top, and

50 feet deep at the deepest part.

Note.—It is said to have continued to remain full of water till 1825.

In 1364 David Bruce bestowed the lands of Blairshinnoch, &c., upon Walter de Leslie, father of Euphemia Leslie, Countess of Ross, for furnishing a soldier to attend the King in his Court "apud castrum de Banffe."

In the year 1396 Robert III. granted to his uncle, James, Earl of Buchan; the lands of the barony of Glendowachy with the Castle of Banff. These lands were held previous to this time by Alexander, Earl of Buchan, by grant of Robert II., and at a later time—1467—by Sir James Stewart and Margaret Ogilvie his spouse, daughter of Sir Alexander Ogilvie of Auchterhouse. In 1528, the King confirmed to John, Earl of Buchan, the Barony of Glendowachy or Down, the Castle and Castle-hill of Banff, &c. The Earls of Buchan, to whom these lands were thus granted, were hereditary Sheriffs of the County.

The following note is from the MS. of William Rose, Montcoffer, Factor to Earl Fife, "a gentleman," says the writer of the New

Statistical Account, "noted for his singular acquaintance with the history of landed property and proprietors in the North of Scotland":—

"The Castle of Banff was a Constabulary like Cullen, Banff, Elgin, Forres, &c. These were all towns with castles of strength, and the residences of Kings when visiting their dominions, the place of their Thanes, Sheriffs, or Constables for their safety and place of administering justice in their absence.

"I cannot suppose the Castle to be property in those early times. The Thane and Constable or Sheriff was the King's Judge, appointable and movable at pleasure.

"I have mentioned Walter Barclay, Sheriff of Banff, 1304, then possessing probably the thanedom of Mewbray. Be that as it may, Douglas, Lord Balvenie, had a grant of Inchdrewer and Strathalva of date 30th April, 1426 (*Public Records*), supposed on their forfeiture, as already mentioned, to have come to Sir Walter Ogilvie of Auchterhouse, of whose family historians give ample account, was Sheriff of Angus, murdered by Duncan Stewart, natural son of Alexander, Earl of Buchan, anno 1391. He left Alexander, his heir, whose daughter, Margaret Ogilvie, married James Stewart, Earl of Buchan, brother uterine of James II., and got by her Strathalva and Downe 'una cum castro de Banff et piscariis aque de Dowerane' called the thanedom of Glendowachie or barony of Glendowquhy. [*Nota*.—This signifies the Glen of Dow, Doveron, as shall be afterwards explained, the lands being in the Strath of the Water of Doveron.]

"John, Master of Buchan, was killed at Pinkie 1547. His father alive, the Master left Christian fiar of Buchan, married Robert Douglas, brother to the Earl of Morton, who had James served at Banff, 1583, to his father in the Thanedom of Glendowachie. He married Margaret Ogilvie, daughter of Deskford, leaving a daughter, Mary, served to James, Earl of Buchan, her great-grandfather's great-grandfather at Banff, 29th September, 1627. Mary married James Erskine, second son of the Earl of Marr, 1615. She resigned the Earldom, 1624, with the honours, to her husband and to their heirs, confirmed by Charter, which I have seen, dated 25th November, 1625, and in all these grants the Thanedom of Glendownachie and Castle of Banff are comprehended 'una cum officiis vice-comitatus et coronatoris de Banff,' and the Castle of Banff declared the messuage of the Earldom of Buchan and Thanedom of Glendownachie.

"The affairs of the family went into confusion about this time, and were vested in trust in the persons of the Earl of Kinghorn, Earl of Rothes, in security of great debts, and they, with consent of the Earl of Buchan and Marjory Ramsay, the Countess, disposed the Castle Mount and gardens to Robert Sharp, Sheriff Clerk of Banff, and Janet Abercromby, daughter of Skeith, his spouse. William Sharp, the father, had possession of the Castle long before in feu, and it was here that the famous Bishop of the name, his son, was born, May, 1613, and upon the said Castle Robert and his wife got a Charter of Novodamus from Charles II., anno 1662.

"The Bishop was murdered May, 1679, and the next year Sir William Sharp of Stonyhill, his brother, was served heir to Robert, and held of the King in simple ward.

"Sir William Sharp, designed now of Castlehill, resigned the same 13th August, 1683, in favour of Alexander Leslie, Provost of Banff, eldest son to John Leslie of Kininvie, and Janet Hamilton, his spouse, a daughter of Cobairdy, and they expedite a Crown Charter thereon, anno 1689 (Public Records in Laigh Parliament House).

"The Trustees of the Earl of Buchan and the numerous creditors adjudged the Earldom and the Castle, the Laird of Braco claimed it as coming in their place, but the Earl of Findlater's right, flowing from Provost Leslie, was found preferable, and now they are in possession of what their predecessor, Alexander Ogilvie of Auchterhouse, enjoyed 350 years ago, as well as the Estate of Colleopard, which was then their property.

"I thus describe what the Castle of Banff was, and now is, but its bounds, though holding of the Crown and outwith the jurisdiction of the burgh, were very limited of itself. It had walls of strength around it."

A writer in the *Banffshire Journal*, on the occasion of the last visit of members of the British Association to the burgh, furnishes the following historical notes on the Castle:—

"In 1662, James, 6th Earl of Buchan, disposed of the Castle to Robert Sharp, Sheriff-Clerk of Banffshire . . . and Janet Abercromby, his spouse, who obtained a charter under the Great Seal in their favour on 30th August, 1662. At the time that Lord Buchan sold the Castle to Sharp he resigned the heritable Sheriffship in favour of Baird of Auchmedden. In the Castle was born James Sharp, . . . Archbishop

of St. Andrew's. Sharp's mother was a daughter of Leslie of Kininvie. On the death of the Sheriff-Clerk, the Castle passed into the hands of . . . Sir William Sharp, of Stoneyhill, who obtained a charter under the Great Seal of the Castle on 3rd March, 1680. Sir William, on 3rd August, 1683, resigned the Castle to his relative, Alexander Leslie of Kininvie, who was twice Provost of Banff, from 1689 to 1692, and from 1695 to 1705. Leslie of Kininvie in 1702 granted an heritable bond over the Castle and his whole other lands in the burgh of Banff in favour of Sir Alexander Ogilvie of Forglen, Bart., one of the Senators of the College of Justice, and upon Kininvie failing to pay, the whole of the lands, including the Castle, were in 1722 sold to James, Lord Deskford, who, two years earlier, had, on the resignation of Baird of Auchmedden, acquired the hereditary Sheriffship of Banffshire, so that both the Castle and the hereditary jurisdiction, of which it was the seat and symbol, were held by the Earls of Findlater. They continued in the possession of the Findlater-Seafeld families, the latter till the abolition in 1748 of the hereditary jurisdictions, and the former till 1877; when the Castle and grounds were purchased from the seventh Earl of Seafeld by Mr. Alexander Colville, Solicitor, Banff, whose property they now are. The modern house, on the site of the Castle, was erected in 1750 by James, Lord Deskford. The house in which the Archbishop was born was pulled down in 1816."

The contiguous lands of Rosecraig hereafter referred to are also the property of Mr. Colville.

Almost all accounts of the Castle written subsequent to the year 1800 commence thus:—"The Castle was a Constabulary." It is necessary, however, to remark that, so far at least as the present writer is aware, the terms "Constable of Banff," "Constabulary Lands of Banff," &c., never occur in any ancient charter or authoritative document. The office of Constable of the neighbouring burgh of Cullen was conferred by charter on different individuals from time to time for four centuries preceding the abolition of heritable jurisdictions, and the office and lands annexed are very frequently referred to in the course of that period. So with other burghs that had Royal Castles. Seeing that these terms are never found occurring where, if the office existed, they should certainly be looked for, it is difficult to resist the conclusion that Banff was not a Constabulary. The charter of 25th November, 1625, in favour of the

Earl of Buchan, referred to in Rose's Notes (*supra*), includes only the offices of Sheriff and Coroner of Banff. The office of Coroner, according to Blackstone,* is incompatible with that of Sheriff. The duties of a Coroner are mainly *judicial*, his *ministerial* duties being only as the Sheriff's Substitute in executing process. Referring to the law of England, Blackstone states that when just exception can be taken to the Sheriff for suspicion of partiality, the process must then be awarded to the Coroner, instead of the Sheriff, for execution of the King's writs.

The office of Lord High Constable of Scotland was certainly held by the Earl of Buchan till his attainder in 1308, but this had no connection with the Castle of Banff. It is true that the Governors of the Royal Castles both in England and Scotland were frequently styled Constable, and if any were Constables of Banff, it was the Earls of Buchan; yet, while the record is complete as regards their divesting themselves of the Castle and of the Sheriffdom, there is no record of their disposing of the Constable lands or office of Constable, as in the case of other burghs.

By favour of the present proprietor of the Castle and Castle lands, we are enabled to give the following reliable notes on the progress of these lands:—

1466, March 1st.—“Charter under the Great Seal from King James III. in favour of the Earl of Buchan.

1662, August 29.—“Disposition by the Earl of Buchan, with consent of the Earls of Rothes and Kinghorn, to Robert Sharp, Sheriff-Clerk of the Shire of Banff, of the Castle of Banff, hill, &c., in the Shire of Banff.

1662, August 30.—“Charter under the Great Seal from King Charles II. in favour of Robert Sharp, and Janet Abercromby, his spouse. [1655, June 20.—Marriage contract between Robert Sharp and Janet Abercromby, daughter of Thomas Abercromby of Skeith.]

1678, November 1.—“Special retour—Sir William Sharp as heir to Robert Sharp of Castlehill, his brother . . . as also in the Lands of Ordings, in the Lordship of Deskford. [‘Quondam Robertus Sharp de Castlehill, frater germanus domini Wilielmi Sharp de Staniehill.’]

1680, March 3rd.—“Charter under the Great Seal from King Charles II. in favour of Sir William Sharp of Stonyhill of the Castle of Banff.

1683, August 16.—“Instrument of resignation of the Castle of Banff, in the hands of the Lords of Treasury and Exchequer, in favour and

* Commentaries (Stephen's Edition), II., 657.

for new infeftment to be granted to Alexander Leslie, son to John Leslie, of Kininvie, and Janet Hamilton, his spouse.

1683, August.—“Disposition by Sir William Sharp to Alexander Leslie of Kininvie, and Janet Hamilton, his spouse, dated 3rd, and registered in the Books of Session 29th August, 1683.

1692.—“Charter under the Great Seal from King William in favour of Alexander Leslie, and Janet Hamilton, his spouse, dated 30th March, 1692.

1722, June.—“Judicial Sale—before the Lords of Session—of the lands, &c., mortgaged by Leslie of Kininvie to Lord Forglen. Mr Andrew Hay of Montblair purchased them, and by deed, of date 27th June, 1723, conveyed them to James, Lord Deskford.”*

The Castle and lands annexed were held by the successive heads of the family of Findlater and Seafield until they were purchased, in 1877, by the present proprietor.

The Castle holds of the Crown, and is liable to the town “neither for scot nor lot.”

When the Old Castle ceased to be inhabited is unknown, but various

* The following notes of older Charters are from the Register of the Great Seal :—

1466-67, March 1st.—The King granted to his uncle, Sir James Stewart, and Margaret Ogilvy, his spouse, daughter of Alexander Ogilvie of Auchterhouse, the lands of the baronies of Strathalvah and Down, with the Castle of Banff and the fishing of the Water of Dovert, which the said Alexander Ogilvie resigned.

1478, September.—The King granted to his uncle, James, Earl of Buchan and Lord of Auchterhouse . . . the lands of the barony of Glendowachy, with the Castle and Manor of Banff, and with the fishings of Banff in the Water of Dovert, &c., which lands belonged to the said Earl and Margaret Ogilvy, Countess of Buchan, his spouse, and which they resigned. To be held by the said Earl and his heirs male, &c.

1528, August 12.—The King confirmed to John, Earl of Buchan, and his heirs, the lands and barony of Auchterhouse . . . the lands and barony of Montblary, the lands and barony of Glendowachy, *alias* Down . . . salmon fishing of Thane's net, Assise-lax in the Water of Dovert; Craigshot in the sea, near the town of Banff; the Castle of Banff, with the Castle Hill and gardens; offices of Sheriff and Coroner of the County of Banff (*officia vicecomitis et coronatoris vic. de Banff*), the King having created certain of said lands into the free barony and lordship of Glendowachy, and the Castle of Banff to be the principal messuage of the same.

1547, August 4.—The Queen granted to John Stewart, son and apparent heir of John, Earl of Buchan, the lands, barony, and lordship of Glendowachy, and the Castle of Banff . . . with the Castle Hill and gardens of the same; the offices of Sheriff and Coroner of the County of Banff, &c.

1573-4, February 13.—The King granted a Charter to Robert Stewart, heir apparent of Todlaw and his heirs of the barony of Glendowachy, the Castle of Banff, the office of Sheriff and Coroner of the County of Banff, &c., which Cristina Buchan with consent of Robert, Earl of Buchan, her spouse, resigned in favour of the said Robert Stewart.

1574, April 7.—The King granted to Robert Douglas, Earl of Buchan, and Lady Cristina Stewart, Countess of Buchan, all the lands contained in the charter previously referred to [Feb. 13] which Robert Stewart, apparent of Todlaw, resigned in favour of Robert Douglas and Cristina Buchan.

recorded facts lead to the supposition that it was some three centuries ago. There still exists the original record of "Retours of lands in Banffshire held within the Castle Hill in Banff, 9th January, 1552." The expression "The Castle," and not "The Castle Hill," would naturally be expected, but this may be otherwise explained.

1618.—"Archbishop Sharp is generally said to have been born in part of the Old Castle.

1632-1642.—"Arthur Johnston sings of the Castle: 'Jam sola supersunt rudera'—'Its rubbish yet appears.'

1724.—"To the north of the toune stands the Castle of Banf . . . a pleasant dwelling with a wall and of old fortified." (Mr William Ogilvie, 1724.)

1750.—"Present Castle built by Lord Deskford."

1760.—"Lord Deskert has a small house on the site of the Old Castle over the Mole; this precinct of the Castle was about 100 feet square, and a small part of the enclosure remains. He has formed a lawn before the house, and a beautiful walk round another lawn below it, and it is a delightful summer situation." (Bp. Pococke's Tour, July, 1760.)

1782.—"Banff Castle is a plain modern building, excepting a small house backward, which was built by Archbishop Sharp's father." (Francis Douglas, 1782.)

1868.—"The part of the old building where Archbishop Sharp was born was pulled down about the year 1820." (Imlach's "Banff.")

1879.—"Behind the present house is still standing part of the wall of the wing believed to have been erected by the father of Archbishop Sharp, in which the prelate was born, and which was only pulled down in 1816." (Bremner's "Banff.")

In the Town's Records is a Precept—date 1400—of King Robert III. ordering to be carried into execution an Act of Parliament ordaining Malcolm Drummond, Lord of Mar, to be judicially tried by the Sheriff for invading the rights of the burgh of Banff by fishing salmon in that part of the River Deveron called the Wellshot, and directing the said burgh to be protected in their right to that fishing.

In the Accounts of the Chamberlain beyond Spey for 1457 reference is made to the son of the deceased Alexander Copland, condemned to death at Banff in the first Justice Ayre held there by the King—the first recorded instance of a death sentence at Banff. Many cases subsequently occurred,

Queen Margaret—and probably her husband, James III.—visited Banff as well as other burghs in the North in the year after her marriage, for the Chamberlain of Mar specifies Banff as one of the stages in her progress to Inverness. The Accounts of the Lord High Treasurer for 1494 show that James IV. also visited the burgh.

Alexander Ogilvie of Deskford sold in 1512 to William, Bishop of Aberdeen, Chancellor of the University of Aberdeen, for behoof of the College, an annual rent of 19 merks Scot from the customs of the King's fishings of the waters of Deveron, belonging to the burgh of Banff, and in 1543 he sold to the same his hospitium or palatium in Banff.

From the Register of the Secret Seal, it appears that in 1532, and again in 1544-5, Sir Walter Ogilvie of Dunlugas received a tack of the customs of Banff; and in 1538 he obtained a license "to big ane house within the burgh of Banff."

The only known Commissioner to Parliament for the burgh of Banff prior to the Reformation is Walter Ogilvie, 1543.

The Sheriff Court Records of Banff of an early date have unfortunately been lost. There is an extract in the Register House, Edinburgh, from "the books of the Acts of the Court of the County of Banff, by John Keirlie, Clerk of said Court," referring to the year 1550, wherein "George Barculay of that ilk, became cautioner for Walter Ogilvie of Boyne, Knight, tutor dative to Christine Stewart, daughter and air to umqll. John, Maister of Buchquhane, for just administration of her lands, &c., during her minority."

In 1551 the Commissioners of the town of Banff—John and George Currours and John Kennarte—granted to certain burgesses, viz., to Sir Walter Ogilvy of Dunlugas, Provost; Thomas Baird, Baillie; Walter Curroure, son of James Curroure of Inchdrewer, &c., the fishings of the King's Water, Overraik, Scurrie, with the shot in the sea adjacent to the Craigshot, for nineteen years, and that for the common weal, viz., "the pathment of our kyrk, reformation of our belhouss, zeitting and stocking the bellis thairof, and heynging of the samyn with the supporting of our tolboutht," ilk net in the King's Water to pay 40s. 6d., ilk third of Scurrie, £3, &c.

Banff has always borne its share in the general taxation of the country. In the Tax Roll of the burghs north of the Forth for 1483, Banff is taxed at £3, Elgin at the same amount, while Cullen does not appear.

In 1535 the proportion falling to Banff of the 5000 merks that the burghs contributed to King James V. for sustaining his expenses in France was £22 10s.—Elgin paying £33 15s., and Cullen £11 5s. In the same year Banff paid £18 towards £2666 13s. 4d., being the share of the burghs towards £16,000 Sc. for furnishing of the West and Middle Borders.

In 1550 Banff paid 16 crowns towards 2454 "crownis of the sone" for furnishing of the embassy to the Emperor for peace, while of the sum of £666 13s. 4d. granted to Queen Mary in 1556, this burgh paid £4 10s. In 1557 the burghs raised £10,000 for defraying the charges of the Queen's marriage with the Dauphin, and of this sum Banff paid £67 10s. The total sum to be raised was £60,000 Sc.

A curious mode of tenure, which is not without a parallel in the early history of the burgh,* finds an illustration in 1555. In that year John Nachte, an inhabitant of the burgh, obtained sasine in a subject described as a certain piece of ground lying in the common land of the burgh, in the Gleddisgreen, bounded by the lands of Sir William Clerk, Chaplain, on the east, the King's highway on the south and west, and the lands of Alexander Regat on the north. The *reddendo* was 12s. Sc. and his service as cook and baker to the inhabitants of the burgh. The burgh thus secured the permanent services of a cook and baker, as a few years before they secured the services of a smith.

Sir William Clerk, referred to above, was Chaplain of Banff and Preceptor of the Grammar School. His salary had been fixed by the Provost and Magistrates in 1547 at five merks annually.

In 1556 the Queen Regent held Justice Ayres at Banff and other towns in the North. She signed a charter at Banff on 7th September, and it was when North on this occasion that she attempted to terminate the feud between the Ogilvies and the Gordons. Queen Mary, as is well known, visited the North in 1562. A MS., being the book of Sir James Ogilvie, Master of the Household of Queen Mary, written in French, contains the following :—On 19th September she departed from Spynie, dined at Cullen, and supped and slept at Craig of Boyne. On 20th, after dining at Craig of Boyne, she proceeded to Banff, where she supped and slept.

In the charter room of Cullen House are a few ancient documents relating to Banff. One is Letters of Perambulation granted by Queen

* Cf. Court Book, *sub* Nov. 14, 1549, *postea*.

Mary in favour of the town of Banff for perambulating the marches and meiths between them and the Laird of Boyne, June 8th, and of her reign the 4th year. Another is a charter by the Provost and Bailies to James Curror of the common lands of Banff called Caldhame, lying upon the east part of Banff, 2nd July, 1543. Another of still older date is an indenture betwixt Sir James Ogilvie of Deskford and the Bailies of Banff, whereby the said James obliges himself to defend the said Bailies in all and sundry their rightful causes and freedoms, 24th March, 1471-2.

The following is a copy of the deed last referred to:—

"Indentur made at the burgh of Banf the xxiiii day of Marche the yere of God j^miii^e sevinti and a yere proportis in thamsel and beiris witnes that it is appoyntit and accordit betuix a noble man Sir James Ogilvy of Deskfurde knyght on the ta part and the bailyeis consel and comunite of the burgh of Banf on the tother part in maner and forme as efter falouis that is to say that the forsaid Sir James is oblist and bundyn to the forsaid bailyeis consel and comunite to mantene supple and defend thame in al and sindre there gud and honest richtwis causis actionis and querrelis and thare fredomis and speciale thare fredomis of thare watteris of Deverne And gif it sal happyn thame to be distrublit vexit injurit or maisterfulli reft be ony parti or parties persone or persones the forsaid Sir James sal reforme vpricht and agane bring the fisch reft fra thame or ony of thame to the propir vs at al his gudly power without ony fraud or gile / and gife he may not agane bring the fische reft fra thame or ony of thame he sal restore to the personis reft samekle of his watter that he has of the said burgh for the tyme of reife and quhill the spooliatioun be restorit / and for the saide maintenance supple and defens to be made to thame the said bailyeis consel and comunite has set to the forsaid Sir James and his assigneis the quhilk assigneis salbe ane of his sonis or his brother germane Walter Ogilvy thre nettis apoun the Kingis watter of Deverne for al the termis of nyntene yeris next folowand the date of the present letrez he payand to tham yerly agane ilka yere of the said nynten yeris sex / pundis of the vsuale mone of Scotland at tua termis of the yere Witsonday and Martimes in wyntir be eyvinly portionis and he sal do for the fredome of the said watter and towne as nichtbour and vtheris dois of the samyn and the said bailyeis consel and comunite sal stand at al ther gudly power in supple and defens of the forsaid Sir James in al and sindri his

gud and honest causis actionis and querrelis and sal [be] lele and trew to him thare speciale maister first and before all vtheris there allegiance to our souerane lord the King alenarly oittane / and thai sal not compone appewnt dispone nor mak assedatione of ony thing pertaining or belonging the said burgh with na persone nor personis na to na persone nor personis without the avis and consent of the said Sir James and in sic like wis the forsaid Sir James ther master bindis and oblis him to the forsaid bayleis consel and comunite that he sal not compone tret nor assent to ony assedatione to be made to ony persone or personis the quhillkis ar contrare to the said burgh without the avis and consent of the said bayleis and consell / and the appewntmentis and condicionis leli and trewly to be kept betuix the forsaid Sir James and the said bayleis consel and comunite for al the dais of the forsaid Sir James lyfe ilk ane of thame forsaid has gevin ther bodely at his the hali ewangelis touchit and to the part remanand with the forsaid Sir James the comone sele of the said burgh of Banf / and with the part remanand with the said bayleis consel and comunite the sele of the forsaid Sir James to the indentur interchangabli are affixit yere day and place before expromyt before thir witnessis Walter Ogilvy of Auchleyvin Alex^r Ogilvy ane of the bayleis of Culane Maister John of Chawne prebendare of Moy notare publik and Willam Troup vicar of Innerowry and Sir John Tremlok notar publik and utheris more." *

* The counterpart of the above bond of man-rent that belonged to the burgh appears to have been in existence about the end of last century, but is now lost. The deed having been repeatedly quoted as from the "Public Records," has led to vain searches in Reg. Mag. Sig., &c. By "Public" was evidently meant "Burgh." Mr. W. Rose, in his MS. History of Banff (written 1795), states:—"In 1471 there is an indenture between Sir James Ogilvie of Deskford, burgess of Banff, . . . of the one part, and John Currou and Patrick Blyth, baillies and commissioners, and others, burgesses of the burgh, with consent of all and sundry neighbours, whereby they set to the said James Ogilvie for nineteen years, three nets salmon fishing of the King's Water, to Patrick Blyth a net, to John Currou two nets (with one-third of Overrack and a third of the Middleshot fishing), to Alexander Graham a net, to Patrick Plott a net, to Patrick Duncanson a net, to William Bartlet a net, and to John Collison a net. The onerosity of this indenture or contract is somewhat curious 'for the infesting and fundation making of a perpetual chaplainry to sing in the Peilheiff of the Burgh for our Soveragn Lord the King, and the Queen, their predecessors and successors, the founders, of all Christian souls, and for the theicking of the said kirk with slates and the mending of the tolbooth, for which the burgh has no substance.' Each net's fishing was to pay ten marks, and Sir James Ogilvie for his three nets was to pay six pounds, and he was also bound to defend the burgh in their guid and honest quarrels and freedom of the water, and if masterly vexed to bring the fish back from the vexars with all his guidly power." In the Charter Room of Cullen House is a Bond of Manrent, of date 22nd October, 1479, between the Baillies and Town Council of Cullen and Sir James Ogilvie of Deskford, also a Bond of Friendship, of date 11th January, 1613, between the families of Findlater and Banff.

The inference has been frequently drawn from the copy of the Indenture that the burgh possessed that it fixes the date of the erection of the Old Church, but such a conclusion is unwarranted. Contrary, moreover, to the prevailing belief, it must be remarked that all evidence points to the Old Church and Churchyard as having occupied their present site from the very earliest recorded period.

Sir James Ogilvie, referred to above, was the son of Sir Walter Ogilvie of Auchleven, and the grandson of Sir Walter Ogilvie of Lintrathen, High Treasurer of Scotland. Sir James's father married, in 1437, Margaret, daughter and heiress of Sir John Sinclair of Deskford and Findlater. Sir James was their eldest son (the second son being Sir Walter Ogilvy of Boyne), and at the date of the above Indenture he was probably about thirty-four years of age, and had his residence in Banff, his father being, it appears, then still alive. He married Margaret, eldest daughter of Sir Robert Innes of Innes, by whom he had a family of six sons and five daughters. He was buried at Fordyce, where a monument, in good preservation, to the memory of himself and his father, may still be seen. It bears the following inscription:—*Hic . nobiles . viri . iacobus . ogilvy . de . deskfurd . miles . et . iacob' . ej' . filivs . et . haeres . apparen . obitvs . vero . dicti . militis . 13 . febrvarii . aº . di . 1509 . obiit . avtē . dicti . filii . 1º febrvarii . aº . di 1505 . Orate . pro . aīab' eorvm.*

The "Indentur" given above is copied from the original in the Charter-room of Cullen House, and here appears by favour of the Countess-Dowager of Seafield. The document is on parchment, is in excellent preservation, and is interesting as having attached the oldest impression of the Burgh Seal known to be in existence—at least it is older than any now in possession of the burgh.

Few buildings or monuments have survived in the burgh from pre-Reformation times; but, although no precise information has ever been obtained regarding its age, the Market Cross of the burgh may safely be pronounced to date from at least that period. Its present unfortunate position prevents its merits as a work of art from being properly appreciated. From its long connection with the burgh, it must ever remain one of the burgh's most interesting possessions.

The oldest book connected with the affairs of the burgh is the Protocol Book of George Duncanson, notary public (136 pp.). This MS.

now among the archives of the burgh of Cullen, records not a few transactions, referring mainly to the transfer of lands between 28th May, 1541, and October, 1544.

Two charters, one lease, and a precept—these constitute the sole documents of pre-Reformation date now in possession of the Royal Burgh, with the exception, however, of a small Court book of date 1546-53, and from this book a few notes may be given to illustrate the ways of the inhabitants when the first clear light of history begins to dawn upon them.

1548.—“The borrow courtt off Banff haldin in vmquhill James Ords howis be Thomas Bard and Maister George Duncansoun, baillies of the said brot. the xxiii day of October in the zeir of God ane thousand vc. xlviii zers. The said day the settis callet the court lauchly affirmitt. The said day it is statut and ordinett be the ballies and counsall of the toвне that na maneir of persone sell na kynd of aill bot for xiid. the gallovn and in lik maneir that the tua d. layff be of xviii unce wyt. and no iid. kaykis and that the stane of scheip tawcht [tallow] be sauld for xiid.

1548, April 16.—“The borrow courtt off Banff haldin in Thome Scottis howis * be ane nobill man Walter Ogilvy of Dunlugas knyt. provest. The zaird callet the Constabillis zard lyand at the est pairt of the Castalhill sett to Wm. Sinclair.

1549, May 8.—“The borrow court off Banff haldin at the mercatt crois of the samyn be ane nobill man Walter Ogilvy of Dunlugas knyt. provest.

1549, May 14.—“John Chapman and seven other watermen are chosen ‘to fysche the watter of the Kingis watter quhilkis personis sall not. tak na kynd of fysche, grylss, and salmond at thair awne hand. Ilk persoun to gett viiid. for his laubors in the day in caice thair be na fyschis gottin, and geve thair be ony gottin to ony quality, ilk fyschar to gett ane fysche to the walor of viiid. and quhatt takis at his awin hand ony fysche the takar to be expellit of the said watter of that zeir.’

“Act anent puting hors in bakis sall pay 12d. to the comone good of the toune. No swyn to be fund in corne nor gras :—It is cleirlye vnderstand be the provest, baillies, consall, and haill comunite of the toвне, that the

* The Burgh and Sheriff Courts were also held in 1541 in the “hospitium” of Thomas Scott. A Court House was subsequently built, and in 1575 “post occiduum tecti pretorii” they began to be held in the house of Marjory Gartly.

said tovne is grittumlie hurtt be the inbringing and having of multitud of gudes vpoun the commone pastoring and libertie off the said tovne the quhilk it ma not gudlie susteyne nor beir wt.ouit gritt hurtt. Quhairfor it is fundin that the personis underwrittin have ilk ane of thame conforme to thair faculte certane gudes, schepe, novlt, hors, &c., that the said tovne ma lafulle beir and sustayne and na vthers under the paine of the confyschking of the said guds, because be havand the samyn that hes not to susteyne thame vpone is suspectit to be mair hande to thair nytboris corne zaird nor thair awin. No man to putt or caus hes servand to imputt ony hors vpone ony balk without he have corne of bayth the sydes of the balk. For the fyrst falt he sall pay xiid. to the commone guid, the secund iis. and swa furth. All swyne to be slayne geve thai be fundin in corne or gryss.

1549, September 30.—“Court held in the house of James Curror of Inchdrewir. ‘The said day ane nobill man Walter Ogilby off Bowyne Knyt. is be haille consentt and assentt of the comburges and inhabitantis of the said brot. of gud mynd, grytt luff, fauors, and kyndnes hed to hyme be the saids comburges, oncompellet or circumvenitt, of their awin fre and moteve will, hes chosen the said Sir Walter to thair provest and maister to manteyne and defend them and thair liberteis and wes sworne in jugment thairto. Thomas Bard and Johne Curror chosen baillies and Rechartt Charles and George Pipar chosin officers.’

1549, October 10.—“Robert Thomsone accusit in jugement for the wrangous taking of ane Deuche aks fra Andro Thome his brother.

“It is statut and ordinatt that na aill be sauld but for xxd. the galloon quhilk salbe gud and sufficient fra the samyn after the consideration of the quensters maid thairto, and geve it be not fundin sufficient for the price forsaid the samyn to be put for xvid. or less, as it is awaill. The quhitt breid and aitt breid to be sauld after the consideration of the saids personis, and as the prices of quhytt and meill stands for the tyme, that is to say the quhitt beand for xxiiis. the boill, the twa penne layff to be of xviii. unce, and the d. layff efferand thairto, the meill beand at xvi. or xvs. the boill, xiii. kaiks to be maid of the peck, and na twa d. kaiks and that conforme to the auld actis maid thairupone, and in lik maner the stane of scheip taucht to be sauld be the flischaris for xiid. and the stane of nolt taucht for xd. to the nytboris of the tovne, and the candillis to be maid conforme to the price of the taucht, that is to say x. candill of ilk pund.

"Thir ar the flyscharis :—Thome Burnett, Alexander Cromey, Thome Morisoun, and Alexander Fynlach quhilks sall pay for thair privileg to the commone gud conforme to the auld actis. Candilmakirs :—Thome Burnettis wyff, Alexander Fynlachis wyff, Meige Steill and Johne Mychael, cremer's wyff. Breid of Quhitt baixisteris :—Johne Kennarteis wyff, Alexander Setovns wyff, Johne Dunafers wyff, and Johne Walcaris wyff.

"It is ordinatt and statut be the provest, ballies and comunite forsaid that the said flyscharis heve ouklie gud and sufficient stuff sik as beyff and movttone swa that the nytbors wantt not on the flysche day and inhebitis all utheris to sell ony flysche, duellaris within the tovne, vpon feriall day or haly day, except within thair awin howis.

"It is statuit and ordinat that all brovisteris sall keipe syis and pris in selling of thair breid, bere, and ayll conforme to the the auld actis . . . brakaris of the samyn salbe accusit of the cryme, the vnlaw to be rasit and appliit to the Kirk wark and quhatsumever brovister keipis ony aill, breid or beir and will not sell the samyn exceptand ane halff gallovn aill for the gudman and his companey it salbe lesum to the wanter to pass to the gudman and gudwyff of the houss with ane officier and requyr the seldars to sell them, and geve thai will not oppin the door and sell the aill, breid, and beir to strik vpe the samyn and tak the samyn at the just mett and mesour.

1549, October 29.—"It is statuit and ordinatt be the provest, baillies, consall and haill communite of the said brot. for the preserving and keeping of the contagnes past [the pest or plague] quhilke ragis now in diuers partis of the realme, and in specialle within the brot. of Aberdein quhilke it beand thair, can not gudlie be keepitt owt of this brot. withoutt thair be gritt labor and deligence tayne vpon the samyn. Quhairfor it is ordinatt that na maneir of persone nor personis tak on hand to howis, harbory, hyd, or consaill ony passingerrs or trawellers quhatt sum degre or faculte thai be without lecieence of the provest and baillies. Twachane the quhitt fyscharis thir ar the personis that ar devisit for the keeping of bottis—John Kenarte [and seven others].

1549, November 8.—"Court haldin at the Mercat croce. Nomina assise :—Patrik Grant of Dalwey [and 11 others]. The said day Johne Makkawin accusit in jugment for the wrangous and maisterfullie braking of the actis maid be the consentt of the provest, baillies, and haill

communitie of the tovne for the comone weill of the samyn instantlie maid, and in speciall for the braking down of the sklattis of the kyrk, and glassin vindokis of the samyn be inordinatt playing with hand ball and fuit ball vpone the kyrk and kyrkyard of the samyn, and wes be the assise forsaide in amerciament for the wrang of the samyn, and decernitt be them to gyff viii days labor at the making of the tolbot. [Makkawin was also fined for assaulting and drawing a knife to 'Maister James Curroure, Rud Cheplane of the Kirk of Banff']

1549, November 14.—"Andro Gardner and Johne Groitt accusit in jugment for the wrangous bying and selling of tows, ankirris, and saillis within the preweleg and fredom of the brot. of Banff, within the hawin of Doun. It is statuitt that fra this day thair salbe no aill sauld bott for xvid. the gallovn. It is statuitt that na man pak nor peyll keilling, leyng, nor ony vther kynd of fyschis, nor haue na salt keilling within the howis, accept vi keilling at the maist.

"An annual of a piece of land within the Gledsgreen not having been paid, it was decerned in the town's hands. 'The haill tovne hes grantitt the said pece land to Johne Smyth to be his smydde, and to be byggitt be the tovne, ilk ane for his awin partt conforme to thair faculte, and sall remayne smyth comone to the said tovne, quhilk tovnsmen sall geve hyme zeirlie ane laid with thair howrs [horse] in symmer for the supple and helpe of his coillis, and he to have the wark of the haill tovne, and thai to be seruitt ilk ane in thair awin place as mancir is.'

1549, December 20.—"Alexander Setone, servand to Walter Ogilby of Dunlugas, Knytt, accusitt for the maisterfull violentt spolizatioun, away taking, and withholding of ane mowttone bowk fra Thomas Morisone, ane of the comone flyscharis of the burgh, he beand at the mercatt cross of the said brot. vpone ane Sondag, ane off the mercatt dayes of the samyn, belevand to have vsit his fredome and priuelaig under the Queenis grace and the tovnis autorite, quhilk the said Alexander confessit. [The punishment not stated.] The said day [blank] Prior of the Carmilett fratres of Banff comperitt in jugment, and thair requiritt Johne Foullar, burges of Banff, to produce his tytill and recht he haid, hes, or mycht have to ane tenement pertenant to them, quhilk the said Johne allegitt ane tytill to. [The bailies assign 13th January for him to produce his title.]

1549, January 13.—"The prouest, baillies, consell, and comunite hes chosin certane comissioneris for the reforming of all causis down in the

hurtt of the comone weill : Inprimis, our maister, the prouest Sir Walter Ogilby of Boyne, Knyt. ; Item, Walter Ogilby of Dunlugas, Knyt., Patrik Grantt of Dalway, Thome Bard, baillie, Johne Curror, baillie, Maister George Duncansoun and Maister James Curror, comone clerk and scrib of the tovne.

"William Urquhartt oblest him to releiff and defend Alexander Fynlach, burges, tuechane the clame of Sir George Scott [chaplain] anent the sett of the croft, the quhilk the said William grantit him to have sett to Alexander.

"Sir William Grantulie, chepland, presentit ane geft and donation of sex merks annuell gevin to hym be the provest, baillies, consall, and comunitie of the brot. of Banff for all the dayes and termes of his lyfytyme. [After production and open reading in Court of the said gift, and none objecting, the gift is confirmed.]

"The said day, George Barclay off that ilk is chosin freman be the haill and commone electionis of the said brot., and the said George sworne the aithe of fidelite thairupon conforme to the wis [use] and consuetud thairof. [This is the first recorded instance of a burgess being made.]

1549, February 27.—"It is statut that ilk nytbor that hes or happinis to haue skabbit hors or meyr within the said brot. and puts the samyn owt of his hows in ony pasteraig, the gudis to be eschett or cassing our the craig.

"It is statut that all the craigis and greiss thairof betuixt the Droppane craig and the landis ward salbe hanytt and keipitt fra all kynd of gudis to the Rud day, and the haill guddis of the tovne to be keippitt be the comone herd in the pastur of the said tovne, and thairefter the haill guddis to be brot. be the comone herd to the said craigis and feid thairintill anis of the day, and the remanent of the day to pass to the hittis and swa furth ilk monat to the corne be in the zard.

"A head burgh Court was held 13th April, 1550. Twenty-five burgesses were absent.

1550, May 5.—"It is statuit that na flescher within the said brot. by ony kynd of flysche bot it that he ma sell of ane fauorabil price be consideration of the ballies and vtheris of the consell. John Kennarteis wyff and Alexander Fynlatter wyff, thai and ilk ane of thame, is in amerciament of this courtt for the braking of assise and price in selling of the quhyt breid, and wes decernitt to pay Vs. for the samyn.

1550, July 20.—“The assis [13 in number] hes ordinatt that na persone sell ony aill bot for twa s., and na twa d. kaikis bot d. kaikis.

“The Borrow Courtt off Banff haldin in our Souerane Ladyis nayme Mare, Queyne off Scotland, be vertew of our Souerane Ladyis lettres directit to the said brot. consall, and comunite thair of for the chesing and eleceng of the provest. The Consall and the comunite of the said brot. electit ane nobill man, Walter Ogilby of Dunlugus, Knyt., prowest for ane zeir.

1550, January 12.—[The Council forbid all private and quiet giving of possession to property in the burgh, by the facility and ignorance of baillies, as the just and lawful heirs are thereby defrauded.]

1551, April 13.—“The said day the Maister Schowill [Master of School] of Banff, Sir Wm. Clark, grantit in jugment to pay Maige Steill vis. viiid. in terme of law.

1551, May 8.—“Court haldin at the Marcat Croce. It is decernitt be the assise for the comone weill of the tovne and observing and keiping of all the nytboris cornis grovand vpone the comone that four men be maid pressaris quhilkis at the command of the pleugar pass to appris the corne ettin be ony and ilk hors for the first falt to pay iiiid. and ilk scheipe, kow, ox, or sterk iid. and all swyn to be slayin quharever thai be apprehendit in the skayth and quharever ony hors or vther gudis beis fundin vpone ony balk the fyrst apprehendar to have iiiid. for ilk time ony best beis fundin.

“It is decernit that thair be na aill sauld fra this day furtht bot for xxd. the gallovn and that be fundin gud and sufficient be the quensters and vtherwayis to be sauld for xvid the twa pennie laiff to be xiiii vnce and ane sufficient kayak for ane d. The falters to be pvnist.

1551, June 15.—“The assis [Patrick Grant and twelve others] hes decernitt vniuersalie that all the balkis of the tovne be keepit fra ony kynd of hors or ony vther best and geve ony beis fwndin be quhatsumeuer persone vpone ony balk of his awin or nytboris the taker of the samyn to have twa s. for his reward of the awnar of the said best or bestis quhatsumeuer and xiid. to the kyrk to lay walkis and that quhou oft thai be fwndin and geve ony persone beis fundin cherand or cwtand gres vpone the balkis ilk persone to pay as said is without fauoris and this for the comone weill of the haill tovne and nytboris theroff.

"Alexander Quhytcross decernit in amerciament for the wrangus slaying of blak fysch in the watter of Doverne.

1551, October 9.—"It is statuit be the provest, &c., considerand the gritt exorbitane prices rissin in selling off schovin that na warkman off quhat faculte thatever he be tak on hand to sell ony schovin without thai be apprisit be the baillies . . . and in lik maneir that all the flysch, fische, and vther geyr within the tovne to be sauld be apprisit as said is. And in lik maneir it is statuit that na kaigaoris be thowthillit by ony fische on to the tyme the haill tovne be seruit and geve ony kaigaor beis fvndin havand ony in quait maneir the samyn to be eschiat and na quhytt fyschar to have ony of his fyschis in quiatt maneir to his howis to be sauld exceptand als mony as ma susteyn for that day and the laiff to be sauld to the nytboris of the tovne.

1552, May 25.—"The baillies of thair awne fre motive will for gud haldin of rewill within the tovne and to pwneis transpasseris hes devidit betuixt tham the haill tovne in this maneir, vicz.—Thomas Bard to have the ane halff of the tovne under his jurisdiction and pwnissament, that is to say, begynnand at his awne hoves and fra thyin furthe doon the tovne to the Droppand Craig ay as the distens of the hill passis, and Maister George Duncansoun to haive the remanent of the said tovne. The baillie to pay the vnlaw off the falter in caice he pwnes not the samyn vnder his jurisdiction.

"It is statuit that na reid fischar tak on hand to sell ony of thair met fyschis to ony persone or personis in quiatt maneir at the watter sid, bot to bryng all and haill fyschis that thai gett for thair lauboris to the mercat croce and thair to sell the samyn oppinly to ony persone that will give tham maist and geve ony of thair fysches beis fvndin sauld be tham in quiatt maner the said fysche to be confisk and the getter of the samyn to dispone thairupone at his plesor.

1552, October 4.—"The said day ane nobill man, Walter Ogilby of Dunlugas, Knytt, prowest of the said brought presentit in jugment the comone seill of the said brought and requirit the haill tovne geve it was the comone seill haldin reputat and wsit past memor of man and na vder seill knawin within the said brot. be tham or thair predecessoris in tyme bygane. The quhilke said tovne in ane voce ratefitt and approvit the said seill and knew not ony vder and reiectis all vder seill vsit in tyme bygane or to come.

"It was discernit that ilk tenant that hes ane partt of the Silver Croft sall pay to Schir George Scott, chalmerlane to the lard, twa bollis ane firloft beir.

1552, November 28.—"It is statut be the bailzeis that no wayr be mydenit bot put to the horsis and karye the samyn to the feld and lay the samyn on the land of the tovne and neyne bot fremen.

"It is decernit that Johne Forsyth and two others suld pay iii firloftes bere for thair sueyne for the eittin of Petre Grantis corne.

1553, April 19.—"It is discernit that na eill be sauld bot for xiid. the galloun."

The Town's accounts for a few years about 1550, which appear also in the aforesaid Court-book, show the interest the town had in the fishings of the Deveron. For example, in 1548 the treasurer received from "Maister James Curroure rude priest of Banff for ane netts fisching in the Kingis Water of Dovern 40s." The sum of charge for that year is £52 15s. In the discharge appears £25 6s. 8d. paid to the College of Aberdeen for their maills and duties for two years. In the charge for 1551 appears £13 6s. 8d. paid to the Comptroller at the Exchequer for burgh maills, £12 13s. 4d. to the College of Aberdeen, and £4 to the Laird of Boyne. In 1552, 12s. was given "to Wille Makawin to ryne to Edinburch till our maister the Lard for helping off ane discharge of our taxt." Also 24s. to John Norye the pursewanter to superseid the lettres on put till executioun anent the taxt, till the hame cumyng off Wille Makkawin fra the lard.

Another set of accounts are of special interest as bearing on the ancient church immediately before the most critical period of its history in this country :—

"Compt taikin of our Lady offerand off Banff of Maister George Duncansoun, ane of the bailzeis of the burgh off Banff of his intromissions thairwith sene the first day of Januer in the zeir off God 1547 inclusive to the first day of Januer exclusive in the zeir off God 1552 comptit and maid afore the prowest, baillzeis, consaill, and comunite of the said brught off Banff xix day off Aprill in the zeir of God 1553.

"Oneratio eiusdem magri Georgii Duncani [Charge of the said Mr George Duncanson]: Item, imprimis, the saidis day and plaice the said Maister George is chargit with five poundis, five schillingis and ane

pennie of the offerand of our Lady braid of Banff rasaut fra the first day off Januer in anno 1547 zeiris to the first day off Januer in anno 1548 zeiris as his buk of the rasait of the samin particulare seene and examinett beris. Item he is chargit with fife poundis monye of our Lady offerand bred of Banff rasaut 1548 £5. [The receipts in the three subsequent years were £6 2s. 5d., £5 19s. 4d., and £5 19s. 3d. respectively.] Item he is chargit and resaut fra Wm Low the quhit fischer of Banff for his brother and moderis lair in the Kirk off Banff vi s. Summa onerationis, £28 12s. 1d.

"Exoneratio [Discharge] Item, imprimis, the said Maister George Duncansoun chargis him of thre poundis three schillingis monye maid in expens for waxe candillis to the hers [a harrow-like contrivance for holding the lights] afoir our Lady, and vtheris small besines dovne about the Kirk in 1547. Item he is dischargit of four poundis and three schillingis monye deliuerit for lyme to mend the porche dwir and to pend it and to thek the samin, and for thua torches of wex to the Kirk, and vthir small besines in 1548. Item he is dischargit and gewin to Thomas Massoun and Johne Makawin for the . . . of the gauyll of the porche duyrr, and . . . of it in cast werk conforme to our contraking with him 53s. 4d. He is dischargit of five poundis fiftene schillingis and aucht pennies deliuerit be him for ane gret chandellair in the kirk . . . for lyme to sklait . . . and to James Adamsoun for theking of the pairt that wes taikin dovne. Divers vtheris particulare thingis dovne about the Kirk and choir in 1550 £6 3s. 5d. Item he is dischargit off four poundis and tretene schillingis monye deliuerit to the sklaitter for the pwyntting of the hail kirk and choir and belhous, with rygging of kirk and wex to the kirk, and vtheris besines dovne about the samin in 1551, £4 13. Summa £26 11s. 7d. And thus restis 40s. 6d., with 26s. 8d. 'I sell giff off my awin gudis off my comptis making.'"

In the Charter Room of Forglan House is the original of a document, of date 1557, which appears* by favour of Sir Robert Abercromby. It is designated "Letters by Mary Queen of Scots, with consent of her mother, Mary, Queen Dowager, then Regent of Scotland, giving licence to the burgesses of Banff in respect that their burgh lies upon the sea coast where there is easy landing to the English, if they be not

* Charters, &c., No. V.

substantially resisted, for the defence of the same to remain at home from the army appointed to assemble on Fala Muir on 2nd October next and dispensing with all accusations or prosecutions which might otherwise ensue thereupon. Given under the signet and subscribed by the Queen Dowager at Edinburgh, 30th September, 1557."

1560-1650.

LAWLESSNESS.—JOHN PHILP BURNED FOR WITCHCRAFT.—THE LAIRD OF BANFF'S
HOUSES PLUNDERED.—PERSECUTION OF CATHOLICS.—PLUNDERING OF THE TOWN
OF BANFF.—ALEXANDER CRAIG THE POET.—JOHNSTON'S EPIGRAM ON BANFF.—
EXTRACTS FROM THE BURGH COURT BOOK, 1624-1650.

1560-1650.

DURING the century succeeding the Reformation we are dependent mainly on the Burgh Court Book for our knowledge of the events that occurred in the town, and of the character of the burghers. Occurrences of an ecclesiastical or educational nature will be noted in a subsequent chapter, under "The Church" and "The School."

Little is known of Banff during the latter part of the sixteenth and the opening years of the seventeenth centuries, but what is known does not impress one with the law-abiding habits of the burgesses, as the following instances from the Register of the Privy Council, &c., will show:—

1585-6, February 15.—Protest in favour of Walter Curroure and others accused of riot and assault in the house of the Sheriff of Banff: Walter Curroure of Inchedroure, George Baird, burgess of Banff, Mr. Williame Curroure . . . Curroure his sons, Alexander Curroure, James Curroure, Johnne Curroure, cordiner, James Scott, George Curroure, cordiner, all of Banff, George Curroure, Johnne Young, servant to the said Walter Curroure of Inchedroure, James Ros in Banff, James Curroure there, Thomas Baird in the Schawis, [James Paterson] smith in the Bachlay, Williame Nory in Culbinny (Cownnen), Duncane Wilsoun in Culbeuchly and George Creichtoun in Moncreiff have been charged at the instance of Thomas Dempstar of Cushnaye, sheriff of Banff, to answer before the King and Council this day to his complaint against them "tuicheing thair cuming, undir cloude and silence of nycht, upoun the aucht day of Februar last to the said Thomas dwelling hous in Banff and persewing of him for his slauchter and assegeing the said house the space of ane houre and hurting and wounding of David Schand, Alexander Robertsoun,

Andro Stewart and David Moresoun." The said Walter Currou of Inchedrour now appearing for himself and as procurator for the other defenders, but the said Thomas not appearing, nor any one for him, the said Walter protests that he and those he represents shall not be held to answer to the said complaint till they are newly charged by other letters and their expenses paid.

1585-6, March 3.—Complaint of Thomas Dempstar of Quishney, Sheriff of Banff, setting forth his wrongs at the hands of Walter Currou of Inchedrour and the other persons mentioned in the previous entry as having come to his house in Banff upon 8th February last for his slaughter and wounded certain of his servants, "and yet continewand in his malice." Currou has not ceased to lie in wait for the Complainer "quhairthrow he may not gudlie repair to the burgh of Banff for halding of courtis and ministering of justice to his Majesteis liegis without he be sufficientlie accompanyit," which is not only an injury to himself but also "to the gritar hurte of his Majesteis liegis having their actionis and caussis depending befor him." Dempstar appearing personally, and Walter Currou appearing also for himself and as procurator for the other defendants, the Lords remit the trial of the complaint to George, Earl of Huntly, Lieutenant and Justice in the North or to other judges competent.

1599, December 20.—*Act denouncing Donald Urquhart for not appearing to a charge of rescuing a prisoner.* Alexander, Master of Elphinston, treasurer, having directed William Leslie, with his Majesty's commission for apprehending certain persons suspected of false cunye and having taken Thomas Fraser as suspect of the said crime, Donald Urquhart, notary in Banff, with his accomplices came upon 14th November last to Leslie then in the said town, and "eftir mony injurious wordis utterit aganis him" violently reft Fraser from him. Urquhart failing to appear is to be denounced rebel.

How the case terminated is not known, but the next case shows it does not seem to have affected the Notary seriously.

1600, July 1.—*Action by the toun of Banff against Walter Currou of Inchdrewer for compelling them to find law-burrows to him: Decree in the same.*

Action by the provost, bailies, and Council of Banff. Walter Currou of Inchdroure alleging that they and the inhabitants of the said burgh

trouble and oppress him and his tenants in the possession of certain lands called the Common Lands belonging to him lying beside the said burgh "be allegeit halding and pasturing of thair bestiall and guidis, casting of faill, fewall and dovetis thairupoun, making of roidis, gaittis, and passageis throw the landis and taking of sand, stanes, and wair furth thair of," and that complainers had charged him to find lawburrows to them under great pains, has procured letters ordering them as representatives of the whole inhabitants of the said burgh to find caution for themselves and the whole community thereof that he shall be harmless of them under pain of rebellion. The complainers state that they are aware of "his restles dispositioun." They urge that the town consists of "puir meane men all fishearis and puir craftismen," and the caution claimed—1000 merks each person in the town—is too high. As for making passages through his lands, the fact is there are "some fishearis that passis langis the sey syde to gadder bait as thay and thair predicessouris have been accustomat in all tyme bygane." As for casting of fail and divots and taking of sand and stone off his lands, the truth is the said lands are set to Mr. George Chalmer and Williame Duncansoun, burgesses, and nothing is done in that particular "bot be thair tollerance." The pursuers appearing by Donald Urquhart, their procurator, and Curroure appearing personally, the King and Council find the letters foresaid against the pursuers for finding the said caution "to be ordourlie procedit," and ordain the same to be executed against them conform to the tenor thereof; but, on the other hand, on caution having been found, the pursuers shall not incur the pain of contravention thereof for any deed to be committed against the defender by any of the inhabitants of the said town in their "awne particular quarrell," but only if "the same be done in the commoun caus of the towne."

In the previous month David Hereot, goldsmith, burgess of Edinburgh, became caution for the provost, council, community, and whole inhabitants of the burgh of Banff for 1000 merks not to harm Walter Curroure of Inchedrour.

Spalding, in his "History of the Troubles," briefly notes an event under the year 1628, which must have caused no little excitement even in these troublous times:—

"And siclike about Michaelmas in the said year, the laird, thereafter Lord of Banff, unhappily slew Jas. Ogilvie, his cousin, being a proper

gentleman : there was some assythment made for this slaughter, and he went peaceably."

The Sheriff Court Records of the County enable us to obtain a closer view of the "slaughter." From these it appears that in the aforesaid year James Ogilvie of Acheeries was killed in the streets of Banff. His relict, his daughter and his brother, together with John Gordon, the Laird of Buckie, and William Gordon, the Laird of Cairnfield, his brothers uterine and his remaining kin and friends, complained before the Court upon Sir George Ogilvie of Banff, Provost of Banff, Sir George Ogilvie of Carnousie, Robert Ogilvie, burgess of Banff, William Ogilvie, Robert Stuart, James Anderson, Patrick Weyness, John Ross and others, in the following terms :—Sir George Ogilvie of Banff having a deadly hatred to James Ogilvie of Acheeries, accompanied with the said William Ogilvie, George Braibner, *alias* "Joukie," and several others, with swords, dirks, steelbonnets, hackbuts, daggers, pistolets, long guns, &c., contrary to the Act of Parliament, came under silence and cloud of night by way of hamesucken about midnight to Margaret Ogilvie her house (relict of the above James Ogilvie) in Paddocklaw where she and her family were in quiet and sober manner for the time in their beds taking the night's rest, thinking to have rested in peace and security under God and our protection. Her husband being absent and the said laird of Banff falsely usurping upon him the name of John Gordon of Buckie, brother uterine to her said late husband, chopped at the door and under the usurped name foresaid desired entry and howsoon she heard of the said John Gordon, his name, whom she thought had been attending, at the word she rose out of her bed and opened the door, but howsoon the laird of Banff with his associates had gotten entry they, in a great rage and fury drew their swords and bended their pistolets, and held the points of their swords and bended pistolets to her poor naked armless servants' breasts threatening them with present death if they revealed not where the said umquhile James was ; thereafter went athort the haill house and chambers within the same, scorched with their swords all the beds they found within, and were resolved on set purpose to have slain and murdered her late husband in his bed if he had been apprehended and at that time she the said Margaret was great with child. On third of October last the said umquhile James being directed by the Lady Boyne for production of a sasine for removing some tenants off her liferent lands before the Sheriff

of Banff being the Head Michaelmas Court day the said Sir George Ogilvie of Banff, Knight baronet and provost of the said town of Banff and the said Sir George Ogilvie of Carnousie being at the said Head Court the Court being fenced and suits called and not regarding the said place of justice at such ane solemn time the said umquhile James Ogilvie making due court and reverence to the said Lairds of Carnowsie and Banff, saluting them, the said Laird of Banff, of precogitate malice and evil will conceived to him against the said James Ogilvie perceiving his head uncovered and his bonnet off, struck the said umquhile James on the bare head with a baton to the effusion of his blood in great quantity and thereafter the said Lairds of Banff and Carnowsie and the haill remanent persons complained upon drew their swords within the said tolbooth in time of Court and "strake most fearclie and crewlie" at the said James, who defending himself with his sword escaped furth of the said tolbooth of Banff to the King's high causeway of Banff. They most fiercely pursued and followed the said James Ogilvie "alangouslie the calsay of the said burghe be the space of tua buttis and mair" and having overtaken him and he being alone, and they above twenty persons, most barbarously, cruelly, and unhumanly anew beset the said James on every side, being a naked man, destitute of all and armour and help, except only a sword in his hand, and there most cruelly, shamefully and unmercifully murdered the said James and gave him many cruel and deadly strokes upon his head and divers other parts of his body, and especially the said Laird of Banff with his own hand struck the said James behind his back with a sword through the fifth rib and through the liver being "ane dead straike" and also the said Laird of Carnowsie most barbarously, shamefully and unhumanly shot the said umquhile James Ogilvie with a pistol, charged with two bullets, the top bone of his thigh being broken. [Rest of Sheriff Court Record lost.]*

In the previous year something of the same nature was in danger of occurring, for in the Register of Hornings (1627) is recorded an action of lawborrows in favour of Mr. Alexander Douglas, M.D., designated son of the bishop and afterwards Provost of Banff, against Sir George Ogilvie of Banff and William Gordon, burgess, who had conceived deadly hatred and malice against the said Mr. Alex. Douglas and his servant.

About this time active measures were being taken against witchcraft and superstition in the district. "Our Ladie Wel," near the Kirk of

* For further references to the case see "The Church," *sub* 1630 and 1631.

Ordiquhill, was a favourite spot for "ignorantes" resorting to, and thereafter kneeling about the said Kirk,* but no one, so far as record bears, suffered death therefor, except one unfortunate man who was resident in that district. This was John Philp,† who not only got himself into trouble with the ecclesiastical authorities, but brought a good many of his clients in danger of the utmost penalties these authorities had the power to inflict, his only offence apparently being that he was consulted and that he prescribed for the cure of simple ailments. Whether he was burned to death at the Market Cross of Banff, or on the Gallow-hill thereof, cannot now be determined, the arguments in favour of each view being perhaps nearly equal.

Banff frequently occurs in the narrative of Spalding, as the following notes therefrom will show.

After a conference between the Marquis of Huntly and Montrose in April, 1639, many of the friends of the Marquis felt themselves compelled to sign the Covenant, "but neither the fear of the army nor nothing else could move the Laird of Banff to come in and subscribe the Covenant, but stoutly stood out the King's man, for the which he paid dear."

"About this time [April, 1640] word came that Major-General Munro was coming with an army to Aberdeen, to guard the country, by direction of the new stiled estates; but his purpose was rather to oppress the King's loyal subjects. Whilk being suspected by some barons in this country, they began to fortify their houses, such as the Laird of Drum, Gight, Banff, Federet, Foveran, and sundry others, and furnished them with men and muskets, meat and drink, and other devices of defence against this Munro's coming; but he turned all these doings to nothing, as after does appear."

Munro accordingly arrived at Aberdeen on 28th May, and on 5th July marched north to Strathbogie with about 800 men.

The Laird of Banff had a foretaste of what awaited him, for under the early days of July, Spalding records: "The Earl of Findlater had likewise order to uplift the laird of Banff's haill rents, who oversaw not that business; having no good will at Banff." Excepting a flying

* See Cramond's "Church of Ordiquhill," p. 5.

† See T. C., 28th July, 1630. Also "The Presbytery Book of Strathbogie" (Spalding Club), p. 5, where, from misreading the original record, he appears as "*Preip*, the witch."

visit paid to Spynie, Munro remained at Strathbogie from 9th July till 10th August, on which latter day he "lifts his camp," marches to Forglen, "one of the laird of Banff's houses, and to Muiresk, his good-son's house (themselves being both fled into England), plaguing and plundering the country people belonging to them most cruelly, and without any compassion. Syne comes directly to the burrow of Banff, and encamps upon a piece of plain ground called the Dowhaugh. The soldiers fell quickly too to cutting and hewing down the pleasant planting and fruitful young trees bravely growing within the laird of Banff's orchards and gardens (pitiful to see!), and made up huts to themselves to lie all night, and defend them frae storms of rain; they violently brake up the gates of his stately house of Banff, and went through the haill houses, rooms, and chambers belonging thereto; broke up the victual girmels (whereof there were store) for their food, and spoilzied his ground and his haill friends of their haill goods, and gear, and cattle, that by any means they could get; by and attour whereof the Earl of Findlater, his unnatural friend, by command of the committee, meddled with, and by force took up his haill rents and living out of the tenants' hands, for maintenance of the good cause."

The plundering of the town house of the Laird of Banff is thus narrated by the Author of the "History of the Family of Gordon" (1726):—

"Monro having marched to Bamff, encamped in Sir George Ogilvy (afterward created by the King Lord Bamff) his Garden, inclosed with excellent Stone-walls, and planted with the best Fruit-trees then could be had. All of which they immediately hewed down, not leaving one Fruit-tree, or barren, young or old, standing; and they dug up all the Hedges by the Root. They intirely demolished his House there, one of the stateliest and finest in the North, and carried away all the Timber and Iron-work in it, leaving nothing standing but the ruinous Walls. When this barbarous Act was told the King ('tis reported)* he said: 'As for the House it matter'd not much, Money could build it up again in a short Time; but it was a cruel Thing to destroy the Garden, which many years could not repair.' Sir George lost also in this House a great Deal of Household-stuff and Furniture. This being done, Monro sent out a Detachment of his Regiment and rifled Two other of his

* Straloch's MS.

Houses in the Country, Inchdruer, two miles, and Forglen, five miles, South West of Banff: And this Gentleman suffer'd all this for no other crime but Loyalty to his Prince."

Resuming the narrative of Spalding:—

"On 18th of August Major Monro, with some few company, rides frae Banff towards Murray (leaving his regiment behind him). . . . Many barons and gentlemen met him and honoured him by the way; he hastily returned again to the camp, and by the way broke up the iron gate of Inchdrewer (a place where Banff used most commonly to dwell in and keep), and forcibly took it off, syne sold it for five merks to a countryman, whilk an hundred pound had not put up. They brake up doors and windows, entered the house, and defaced all, and left nothing within it whilk they might carry with them, without authority or law."

"Upon Friday, the 4th of September, after Monro's soldiers had spoilzied, plundered, destroyed, and carried away everything almost belonging to the laird of Banff, his men and tenants, Monro lifted his camp frae Banff. . . . Monro and his soldiers, now amounting to 1000 men, made up by the help of the Earls of Seaforth, Murray, Ross, and Sutherland, marched that night to Turriff."

"About this time [August, 1642] the lairds of Banff and Foveran, and some others, leave the kingdom and go to the King, where they remained for a while."

"About this time [September, 1642] the lairds of Banff . . . came home frae England. The Laird of Banff was made Lord Banff."

Sharp measures were in these times taken with Papists. "Upon the 18th of April [1643] the young laird of Birkenbog, by commission, accompanied with the baillies of Banff, brought into Aberdeen a priest called — Robertson, who was taken by the Sheriff out of — Forbes of Blacktown's house, and first had to Banff, and straitly warded, and thereafter transported to Aberdeen by the Sheriff and baillies of Banff, and brought into the provincial assembly of New Aberdeen. He was put again into the tolbooth, and shortly thereafter transported to Edinburgh to the Council, and after some trials in the end he was dismissed to West Flanders, obliged, under the pain of death, never to return back to Scotland again."

"Upon Saturday the 11th of November [1643], James Conn, in Knockie Miln, was brought into Aberdeen by the Sheriff of Banff, called the laird of Birkenbog. He had been taken and warded in the tolbooth of Banff nine weeks before, for his religion only, being an excommunicate Papist, and that day was convoyed to Aberdeen, where he was warded in the tolbooth and delivered to Mr William Davidson, Sheriff-Depute. He remained there till the 17th of November, and then was transported by the Sheriff-Depute to the shire of the Mearns, and so forth frae shire to shire till he came to Edinburgh, where he was received and warded."

"In April, 1644, parties were sent down to Banff and Buchan. There went down to Banff the lairds of Gight, Neutown, and Ardlogie, with a party of forty horse and musketeers, brave gentlemen. They took in the town without contradiction, meddled with the keys of the tolbooth, took free quarters, and plundered all the arms they could get, buff coats, pikes, swords, carabines, pistols, yea and money also. They took frae Alexander Winchester, one of the baillies, seven hundred merks, whilk he had as one of the collectors of the taxations and loan-silver of Banff; and siclike took frae him four hundred merks of his own gear; and frae — Shand in Down, they plundered some monies. They caused their baillies (for Dr. Douglas their provost had fled) and townsmen subscribe and swear the band, denying the last covenant, and obliging them to follow the King and his deputies in his service, as ye have before. They took also frae George Geddes, another of the said four collectors, five hundred merks of taxation and loan-silver; and Gight kepted all the monies. Thereafter they rode to Muiresk, pursued the place, and being rendered they took the laird with them, syne returned to Inverurie, where they met with the Marquis."

"About this time [May, 1644] the Lord Banff and Master of Banff's grounds were plundered, and the Master (his father being in Edinburgh) unhappily hurt a serjeant, who was wrongously plundering his father's bounds, whereupon followed that his house of Raittie was pitifully plundered and abused, and his girnels broken up and victual destroyed. The Master himself fled, and durst not be seen in the country, whilk no doubt was grievous to his father, now summoned over to the Parliament, and attending the samen, and seeing his house and ground sore opprest. This was done by soldiers of the Irish regiment."

"This rascal, merciless regiment," as Spalding styles them, "then threatened to plunder Aberdeen unless they got payment of the wages promised them before they left Ireland, and the inhabitants of Aberdeen were but too glad to distribute among them the sum of £20,000"—and so Aberdeen was well quit of this regiment.

"Now [July, 1644] the Parliament goes on against Sir George Gordon of Gight and John Gordon, his brother, who was also had over with him to Edinburgh. He is accused upon diverse matters, but denies all; he is accused upon the plundering of Banff, whilk he denied, except some moneys he received in borrowing, upon promise of restitution. It is referred to his oath; he depones conform, and subscribes his deposition; they craftily summoned over witnesses out of Banff to prove him perjured, and thereby guilty of death; at last his process is continued to the 8th of January, 1645, that the Parliament should sit down; through whilk delay he escaped prison."

In March, 1645, Montrose "marches to Banff, plunders the samen pitifully, no merchant's goods nor gear left; they saw no man on the street but was stripped naked to the skin.* Some two or three worthless houses were burnt, but no blood shed; and so they left Banff."

After the victory of Auldearn in May, 1645, Montrose directed his course southwards, crossing the Spey and passing by the Bog onwards to Birkenbog. In his march he sent out a party to burn up the town of Cullen, and another to burn up the lands of Frendraught. He had also some soldiers quartered in Banff.

The disastrous effects of all these ongoing is graphically pictured in a "Petition—The Burgh of Banff to the Parliament of Scotland, January, 1647"†:—

"Unto the Honourable and High Court of Parliament, the humble supplication of the Distresst Burgh of Banff.

Humbly Sheweth,—That for our zealous affection, adherence and concurrence to the Covenant, and extending our utmost powers for prosecuting the ends of that same we have not only spent an great part of our means in keeping of the dyets that were ever in the north as we

* "Thir cruel Irishes [at Aberdeen, 1644], seeing a man well clad, would first tirr him, to save his cloaths unspoiled, syne kill the man." (Spalding.)

† Rose Papers—Adv. Libr., Aberdeen.

were desyred be those who were authorised to require us yearly but likewise at last our haill means both horses, nolt, cloaths, corn, and merchand guidis with our buiths, none whereof having been gotten removed were all spolyit and away taken be James Graham and his most cruel, unnatural, and merciless associates in the month of March, 1645, our plenishing of timber all burnt with some of the houses in our town so that nothing was left unto us except the bare walls of the houses and thereafter when we were in small and mean condition we were striving to live thereafter be the assistance of our well affected friends and countrymen there did still fall upon us ever as they had occasion to be in the country and never was we free either of them, in special the name of Gordon, Harthill, Ludwick Lindsay or Captain Mortimer or otherways, We were not free of our own forces, the one coming in upon us as the others were removed even untill this day as is notourly known both to some noblemen, barons, burgesses, as also to officers of regiments all there presently in or about the Parliament so that now our condition is so miserable that we have nothing whereby either to labour our land or use our trade and dare not any of us frequent or haunt any burgess by reason of our debts restand be us for the guidis that were taken from us for fear of the warding of our persons our losses having exceeded our free means be the sum of 20,000 pounds, and now our Kirk, Tolbuith, Scholl, Ferryboat, and all being demolisht and broken down we have no kind of subsistence neither for ourselffs to live neither to repair these common works, and likewise sheweth to your honours that we are in debt for our common guid the sum of 6520 merks and with year's and a half of annual rent bygane at Martimas last of 4000 whereof and the annual rents of the rest since the several dates of the bands of the same respective extending of all till about aught thousand and nine hundred merks we having nothing to defray all this but the sum of £104 18s. per annum both to pay principal sum and profites and the haill forsaide sums having been spent upon commissioners to the General Assemblies and Parliaments for entering of our proportion of our Levies to England and for the expenses of Mayn Guards and watches when General Major Middleton, Lieut. Colonel Hew Montgomery, Lieutt. Colonel John Home, Colonel Robert Montgomery, and — Lockhart and the Foot Regiments belonging to the Earl of Lowthian and Lairds of Lawers and Buchanan

were at several occasions quartered in our town and sundry sums of money taken from us be several officers to hold us free of quartering of horses when our corns were growing on the ground being even threatned whether they had orders or not with plundering of our houses and destroying of our corns, Whilk haill premises we beseech your Honours to take to your serious consideration and to think upon some course of supplying of us so that we may have some subsistence to live upon for ourselffs, wives, and children and in particular humbly beseech that your Honours would cause look upon the report of our Losses here ready to be producit according to the Commission granted prior by the Committee of moneys for giving us of the same and that your honours will give us warrant from this Parliament to be reparit thereof out of the first and of any sums shall be exactit either be fineing or borrowing from any of these within our own shyre or about our own town who have been actually airt and part or personally assestant to the away taking of our said means or any part thereof in this bygane tyme and quha one or all of them are partly lying in our town in a worse disposition nor they were of before, And humbly desyres that your Honours would be pleased to grant us the excise of our awn town for — years to help in some measure to defray part of the common debts or at least pay the profites of the same so that hereby we may be encouraged with some hope of subsistence and to continue in our zealous and never repented of affection unspotted in the world to the work of God in this Reformation and furtherance according to our weak power to the publick and common guid of this kingdom, as ever we have hitherto done, Beging most humbly your honours most serious consideration in all the premises and your honours' answer most humbly we attend."

Three official Notes are entered on the document :—

19th Jan., 1647, received in Parliament and remitted to be considered by the body.

20th Jan., 1647, received be the nobility.

16th Feb., 1647, received and remitted to the Committee for Losses.

Endorsed thus :—" Supplication Town of Banff Bodies (?). 1647."

The Genius of Poetry has seldom presided over this burgh. One poet, however, if not of high rank, is at least worthy of notice, and a recent publication by the Hunterian Club furnishes us with the leading

facts of his life, and enables us to form an estimate of his poetry after both these had been well-nigh forgotten.

Alexander Craig, A.M., of Rosecraig, was born at Banff c. 1567. He received a good classical education at the School of his native town, and at the age of 15 or 16 years proceeded to St. Andrews, where in 1582 he is found subscribing the King's Confession. Four years later he obtained the degree of M.A. On the accession of James to the throne of England he followed in his train, wrote encomiums on the King and Queen, and secured the favour of some of the courtiers. His first publication was in 1604, "The Poeticall Essayes of Alexander Craige, Scoto-Britane," which shows much pedantic learning. In 1605 he got an annual grant of £400 Sc., which was ratified in Parliament in 1607, "upon consideration of the gude, trew, and thankfull service done to his hienes." Thereafter, it is supposed, he retired to Scotland and enjoyed his pension, settling at a place called Rosecraig, in the northern extremity of the Castle grounds of Banff, and which was perhaps so named by himself. The pension was still being paid in 1621. "Craig's verses," says John Payne Collier, "are more remarkable for their adulation than their poetry." Here is a local allusion :—

"Come be my Loue and liue with me

And we shall see the riuers run
With delicate and daintie din
And how my Douern night and day
With sweet meanders glides away
To pay her debts vnto the sea."

Craig appears as a Commissioner for the Burgh of Banff to the Convention of Royal Burghs in 1610, 1613-1616 and in 1621. In his "Poeticall Recreations," published in 1623, he describes his residence at Banff—Rosipetra as he calls it :—

Rosipetrae meae ad imitationem Psophidii Arcadiensis descriptio
(Description of my Rosecraig in imitation of Psophidius the Arcadian).

"In a fair nook great store of fruit that yields
Psophidius lives and tills his humble fields
Content with little, blest in few desires,
He seeks no less, he to no more aspires."

Sheriff Gordon, in a letter to David Laing, LL.D., of date July, 1873, states that he had looked over some of the burgh minutes as far back as 1624, but he did not find the name Craig mentioned either as Magistrate or Councillor. In the First Book of Sasines, however, under date 21st October, 1623, we find "in manibus honorabilis viri Magistri Alex^r. Craig de Roiscraig, vnus ballivorum burgi de Banff." His name frequently occurs about that period, the last time it occurs being 26th February, 1624. He was not of the number of those elected to the Town Council on 5th October, 1624, and his name appears in no list of Town Council or Assise thereafter.

In the "Register of Hornings, 1624-1628," occurs the following under 1626 :—"Issobell Chisolme, relict off umq^l. Mr. Alexander Craig off Rosecraig and Mr Alexander Douglas, Doctor of Medicine, spous to the said Issobell." Again, under 1628, in connection with a dispute as to Rothiecroft, James Craig is designated eldest son and heir to the deceased Mr. Alex. Craig of Rosecraig, and Alex. Douglas, M.D., is father-in-law of the said James Craig.

James Craig was served heir of Alexander Craig of Rosecraig, his father, on 20th December, 1627. In 1699 Rosecraig came into the possession of Alexander Lesly of Kininvie, Provost of Banff, and it now belongs to Mr. Alex. Colville, the proprietor of the Castle.

In Charters the following names, apparently of this family,* are met with :—

1609, Mr. Alex^r. Craig, burgess of Banff. Apparently the same person is called son of William Craig, burgess of Banff. He acquired three possessions in Banff in this year.

1650, James Craig and Mary Douglas, his wife.

1670-83, Alex. Craig of Rosecraig, son of the preceding, another son being Walter, and two daughters, Agnes and Isobel (1675).

* See "The Church," 11th August, 1631, 1677, and 1681. The bequest Mr. Alex. Craig of Rosecraig made to the Church of Banff, as appears by deed registered in the Sheriff Court Books, 23rd November, 1680, was 100 merks.

Allusion is made to the poet in a work printed in 1614 :—"Nepenthes or the Vertues of Tabacco by Wm. Barclay M.D." Barclay was a brother of Sir Patrick Barclay of Towie, and was born about 1570. Towards the close of the work is the following address—"To his good and olde friend M. Alexander Craig" :—

Craig, if you knowes the vertues of this plant
Why dost thou dye thy quill in Inke of blame?
If thou knowes not for to supplie thy want
Why followes thou the voice of faining fame?
Is it not slander to this plant and thee
To speak of it so poeticallie?

1675, Mr. James Craig, son of Alex. Craig.

By 1690 Rosecraig had passed out of the family of Craig.

List of Craig's Works (from Walker's "Bards of Bon-Accord") :—

- (1) The Poetical Essayes of Alexander Craige, Scoto-Britane. Seen and allowed. Imprinted at London by W. White, dwelling in Cow-lane, neere Holborne Conduit. 1604. (2 copies known.) 4to. 23 leaves.
- (2) The Amorose Songes, Sonets and Elegies of M. Alexander Craige, Scoto-Britaine. Imprinted at London by W. White, 1606. (2 copies known.) 8vo. 84 leaves.
- (3) The Poetical Recreations* of Mr. Alex. Craig of Rose-craig, Scoto-Britan. Aberdene. Printed by Edward Raban for David Melvill, 1623. (3 copies known.) 4to. 18 leaves.
- (4) The Pilgrime and Heremite in forme of a Dialogue by Master Alexander Craig. Imprinted in Aberdene by Edward Raban for David Melvill, 1631. (1 copy known.) 4to. 18 leaves.
- (5) The Poetical Works of Alex. Craig of Rosecraig, 1604-31, now first collected. (210 copies.) 4to. Hunterian Club, 1873.

Another northern poet—Arthur Johnston—also sings the praises of Banff. Johnston was born at Caskieben, Aberdeenshire, in 1587, and his Epigrams appeared soon after his return to Scotland in 1632. Like Craig he was honoured with the patronage of King James.

BAMFIA.

Bamfia juncta mari, parvis tu cedis Hypæpis,
 Nec minor urbs Apinae, Trica (1) nec ipsa fuit.
 Te tamen agnoscit dominam contermina tellus,
 Paret et imperio terra Boëna tuo.
 Nec tibi vel desunt segetes vel pascua laeta

* A copy was sold at the Gibson-Craig Sale for £7.

"Hoping the discreet reader will not impute the superstitious or hyperbolic expressions which appear in these Epigrams to me or the translator, seeing the author of them in Latine (who was one of the most excellent poets of his time) did expect the common liberty allowed to such." (*Philopolitius*, 1685.)

- (1) Trica, like Apina, a proverbially small and unimportant town in Apulia (urbes duas, quae in proverbii ludicrum vertere). Hypæpe, a town in Lydia.

Grandia nec solitae lintea ferre rates. ⁽²⁾
 Te quoque templa Deūm ⁽³⁾ decorant, et nobilis aedes
 Virginis Astreae, ⁽⁴⁾ Pieridumque domus. ⁽⁵⁾
 Proximus est collis, manibus congestus avorum, ⁽⁶⁾
 Hic prius, ut perhibent, nil nisi campus erat.
 Hunc mare, dum refluit, Dovernaque ditibus undis
 Alluit, arx ingens culmina summa tegit.
 Hanc coluit Bellona prius, jam sola supersunt
 Rudera, delevit caetera tempus edax.
 Tecta forum juxta ⁽⁷⁾ Pariis stant fulta columnis, ⁽⁸⁾
 Haec habitat priscae nobilitatis eques. ⁽⁹⁾
 Bamfia, te populus nulli virtute secundus ⁽¹⁰⁾
 Incolit, hoc reliquis praeripit omne decus.

Johnston's Epigrams were translated into English by I. B. [Mr. John Barclay, parson of Cruden], an edition, from which the following is taken, being printed at Middleburgh in 1642.

BAMFF.

BAMFF near the *Ocean* doth thy self confess
 In *Bulk* then *Trica*, or *Hypaepe* less :

- (2) The stately ships that Banff then launched forth to sea must be understood as one of Johnston's "hyperbolic expressions," for even in 1656, Tacker, writing an official report on the trade of the district, states as follows:—"Fraserburgh and Bamff where something now and then is brought in from Norway, but theyr onely trade is coasting except that from the latter some salmon may happen to be shipped out." Aberdeen had then only nine vessels of from 20 to 80 tons each, Fraserburgh four of 20 tons each, Peterhead one of 20 tons, and Banff apparently had none.
- (3) Templa Deūm = the old Church. Cf. the same poet, referring to Old Aberdeen: "That Temple with two Towers doth rise."
- (4) Aedes Astreae = the Court House and Tolbooth combined, at the foot of the Strait Path.
- (5) Domus Pieridum = the Sang School (?).
- (6) This cannot be thought to refer to the Castle Hill itself. It may have been a large artificial mound in the Castle garden, similar to that still seen in the garden in the rear of the Town House.
- (7) Tecta juxta forum = The "Palatium," or "Towers" or "Old Lodging," the town residence of the Ogilvies of Dunhugas, afterwards Lords Banff, erected probably in 1538 (see *antae*), partially destroyed by General Monro in 1640 and finally removed c. 1760. The forum is, of course, the Market Place in front of the present Town House.
- (8) In the same strain he sings of Dundee: "When Genoa thee views, it doth despise its Marbles."
- (9) Sir George Ogilvie.
- (10) Nulli virtute secundus: "A Worthy People" is the meaning intended.

Yet art acknowledg'd by the *Neighbouring-lands*
 To be their *Regent* and the *Boyne* Commands :
 Nor *Cornes* nor *Pastures* wanting are to thee,
 Nor stately *Ships* which do lanch forth to *Sea*,
 Thou art adorned by a *Temple-great*,
 And by the *Muses* and *Astrea's Seat*.
 A place is near which was a *Field* untill
 Our *Ancestors* did raise it to an *Hill*.
 Hither the *Sea* flows up to *Diveron's-flood*,
 A *stately-Castle* also on it stood.
 A *Warlick-Fort*, *Its* rubbish yet appears,
 The rest's consum'd by *Time*, which all things wears.
 The *Buildings* which joyn to the *Mercat-place*,
 The *Parian-Pillars* which uphold them *grace*
 Strong for *defence*, and specious to the *sight*
 In them doth dwell a Noble *Ancient Knight* :
 A *Vertuous* People doth inhabit *thee*
 And this O BAMFF ! *thy* greatest *Praise* must be.

Gordon, in his Description of the Sherifffdoms of Aberdeen and Banff, written c. 1654-62, makes the following remarks on Banff :—

“ Banfia, vero, oppidum, praefecturae hujus caput ad Doverni ostia
 sedet ; non illa, quidem, magni momenti, cum locus importuosus sit,
 cauro, ventorum in his oris saevissimo, objectus ; unde quandoque,
 fluminis ostia situm mutant. Arcis reliquiae supersunt ; cives, negotiationi
 maritimae impares, agrum suburbanum eximie fertilem, strenue exercent :
 est quoque salmonum piscatura non incelebris.”

EXTRACTS FROM THE COURT BOOK OF THE BURGH, 1624-1650.

1624.

"THE names of the Magistratis electit at Michaelmas, 1624:—Provest George Ogiluye, elder of Carnowseis. Bailliwis: Walter Ogiluy of Inverichnye, Androw Baird. Counsell: Walter Ogiluye of Dunlugas, George Ogilvye of Moncoffer, Robert Ogiluye, Walter Dunbar, Williame Gordoune, Thomas Scherund, Williame Schand, Alex. Winchester, Mr. James Baird. Officeris: Williame Cumyng, William W^msone (Gilbert Mowat electit sensyne).

1624, October.*—"Electit stentaris of the taxatioun for the fourt termes payment of the taxatioun granted to his Majestie for maintenance of the religioun now profest.

"The small customes of this burghe being prejudgit be the owirsicht of the customer not exacting of the customes of guides transportit to and fra the burghe be sea it is ordanit that everie boll salt and victuell and for everie barrell bouk of uther guidis pay twa pennyes Scottis and for ewerie barrell of salmound aucht pennyes Scottis. The small customes of the burghe roupit for four scoir and fywe merks.

"Anent the extra ordinar pryces takin for bread and aill the bailyies ordanit ane assise to be chosen who ordanit the beir to be sauld for sextein pennyes the pynt and aill tuelff pennyes the pynt four caikis onlie to be baikin out of the peck of guid meill and ewerie kaik to be sauld for twa schillingis money. Na wnfremen to be sufferit to brew or occupie a taverne within this burghe, nother onye burges that is not able in housse and guidis to ludge and harbure ane gentilman w^t his horse and boy sufficientlie, in bedding, interteinment and stabling wpone his awin charges.

* Throughout the following extracts modern spelling is adopted for months and for condensed portions inserted within double brackets.

[1622.—Ferry boat set to William Ogilvy for five years on payment by him of four score pounds and a new, good, sufficient boat.

1624.—Handbell set for the year to William Williamson for five merks. He receives from the burgh ten merks yearly for "reuling of the knok daylie."]

December 13.—"The baillies with adwyse of the counsell present haweing consideration of the nixt marcat to be in this burghe the morne, the 14 of this instant viz. Durstaneday and haweing consideration of the fear of the appeirand plague* qlk God in his mercie quensche and being willing for preservation of the burghe and outhalding of strangeris and suspect geir and merchandise, ordanit the said burghe to be keipit at the portis following be the persones following [19 in all] at the wast port besyd Williame Gordounes biging . . . at the south end of the toune narrest Sandiehills . . . at the port narrest the Kingisfuird . . . at the gleddisgrein . . . at the boit . . . at the Seytoun narrest the sea. [Mr. Wm. Sharp is one of the number.]

"The inhabitantis stentit for money to be given to Thomas Gordoune for outhalding of stranger beggaris furthe of this burghe."

1625.

[Walter Ogilvie of Dunlugus elected Provost in room of "Geo. Ogiluye of Carnowseis, quha now restis in God." The small customs roupd for 80 merks and the handbell for 5 merks.]

"The haill counsell band and obleist them to keip the counsell weiklie on Mononday when warnit. [Absents to pay 6s. 8d.]

"An assise of burgesses fix these prices:] Aill 12d. the pynt, hard caik of guid meal, four being baikin out of the peck 2s., loaff of the lyk meill aucht being bakin out of the peck 12d."

* The following extracts from the Accounts of the Burgh of Aberdeen show that the plague had previously visited the burgh :—"1604-5. To ane serwand of the laird of Tolquhon for careing ane letter fra him concerning the pest at Banf 6s. 8d. To ane boy of Banf to carie ane letter to the bailleis for ordour taking thair witht the pest 3s. 4d." The plague was then raging in Aberdeen and other places in Scotland. In 1645 it broke out at Peterhead; and in 1647 it visited Aberdeen for the last time, when 1600 are said to have died of it. In 1647-8 it also raged in Glasgow. Also cf. T.C., 12th Nov. 1720 (*postea*), and T.C., 7th Nov., 1709 (*postea*). 1721, March 4. "Paid to Alex. Smith workman 20s Sc. for his hyre in going to Frasersburgh in the storme with an circular letter anent ane ship at Chanrie infested as wes alledged with the plauge."

1626.

March 28.—“Williame Gordoune, elder, burgess of Banff, and Elspet Chalmer his spous being lauffullie warnit to this day with cer^{om} pro confesso, ofttymes callit and not compeirand was decernit *in poenam contumacie* to pay and delyver to Androw Moresone servitor to Walter Ogilvye of Reidhythe, sextein merks mo^e as rest of the pryces of twa bollis wictuall.

March 25.—“[Public market in Banff. John Wilson, burgess, fined £5 for striking] a puir merchant boy in his awin stand on the mouth and nois and perturbing the Kingis mercat.

“Thomas Wallace in Banff accusit for halding of ane idill houshold of folkis to the numer of sex or sewin. He is ordainit under the pain of banishment to put his twa sones and eldest dochter to service or sum honest callingis for ther honest sustentatioun out of his awin house.

“The pro^r fischall complainit that ther war great numberis off idill and wnlauill persones leiwand licentiouslie but onye traid, calling, or meanes resaiweing of honest menis geir thifteouslie fra thair serwands sic as kell, peitis, breid and wther sort of geir sic as ewill inclynit serwands can affourd to them. The tryall and order of punischement remittit to an inquest [of twelve persons].

“Thomas Wallace having iniurit, minissit, and threitnit the baillies and clerk (while collecting the contributioun of the money to the harbarie) with many wyld and abhominable speiches and seeing what great and barbarous a thing it is to onye Christiane to dissobey and misbehawe himselff to his magistrat quha is Godis deput heir on earthe an assise of twelve persons ordanit that the said Thomas be dischargit of his fredome and burgeship in all tyme coming, that his haill guidis and geir be remowit furth of the houss wherein he is and the keyes to be delyverit to the awner theroff; and the said Thomas newir to hawe onye house in tyme heireftir within this burghe, and to remain in furance and waird within the said tolbuthe and stokkis as it sall pleis the magistratis to ordain ay and qll he find sufficient cautioun and that he remove furthe of this burghe and not be sein within the space of 24 myillis to the said burghe and that his dochter Mealie being not of onye gud and sober Christiane mynd remain in waird ay and qll scho find caution for her guid lyiff and behawiour.

"*Act anent Kyne and Kair.* As persones within this burghe have kye and kair daylie going throw ther nichtbours cornes to their great hurt and skaith and abuse of thair cornes it is ordanit that all persones within this burghe sall haif full libertie to tack and apprehend all ky, scheip and cair they happen to challenge and find in thair cornes ay and qll they be releiwit be the payment of 6s. 8d. for the first fault and 13s. 4d. for the secund fault.

"[An assise ordains Violet Cowie to be punished as follows for stealing bear and for receipt of bear] oft and dyvers tymes: She is convict as ane theiff, she is convict as ane leud and scandalous liwer w^out ony laifull traid and furthe of service and thairfor ordored to be banischit and exylit furthe of this burghe and that scho be newir sein wⁱn sex myillis at na tyme heireftir wnder the pain of deathe with certificatioun to her gif scho be ewir fund wⁱn the said space ordainis hir to be drownit but forder dome of law or deid of wrong.

"Wyolet Fyndlater [is found by an assise] to drink mair comonlie at sundrie tymes nor becomes ane womane of hir rank and qualitie qlk they wish hir to amend in tyme coming.

"[Archibald Gregor, Commissioner to the Convention of Burghs at Dunbar, reports an exemption of this burgh from keeping Conventions for three years.

"William Williamson on his admission as freeman and burgess binds himself] to reull and hald the knok in temper sufficientlie daylie in tyme coming during his health and abyding in the toune on payment to him of 20 merkis yeirlie and giff the knok happin to be ane quarter ane hour out of temper the said William discharges ane quateris payment of his ordinar fie. [Agreed to by the Provost and bailies for them and their successors and by Alex. Wynchester, Treasurer, for the kirk.

October 3.—"The Right Hon. Walter Ogilvie of Banff elected Provost anew for a year.]"

1627.

[The "*Curia burgalis et capitalis*" was about this period held either in the "*pretorium*" or in the dwelling house of Robert Ogilvie, burgess, or in "the great chamber of the place.]"

March 6.—"Andrew Baird, Baillye, schew and declarit that he had receavit our Sovereign Lord his Majesties chartor of Confirmatioun upon

ane chartor of the second teyndis of the landis underwritten extending as follows viz. furthe of the landis of Glendowachie 40s., Aberchirdor £4 6s. 8d., Fyndlater 6s. 8d., Castelfeild 2s. 8d., Pettinbringzeane 4s., thainedome of Boyne £11 6s., Darbruche 2s., Monebrie £3 8s. 10d., Rothmieu £12, Nethirduill 16s., Conbay £5 6s. 8d., the burgh of Cullen 32s. 6d., Burgh of Banff the Kings dewties ther £3 6s. 8d. Given be umq^{ll} David Cunningham, Bishop of Aberdeen, for upholding of the schuill of Banff.

"[Date of Charter of Confirmation, 23rd July, 1592.

"A former Act provides that] No person cast feall or diffet on the commontie be north the gait as it passes to the Kirk of Innerboyndie under the pain of £4. [The whole inhabitants to be summoned by tuck of drum to purge themselves by their oaths thereanent.]

"It is ordanit that the cunȳngare and craiggis suld be haynit and that . . . be keiper and pundler thereof. Ilk nolt to be poyneit for 6s. 8d., ilk sheip for 2s. Na guidis to be sein theron till the 15th May.

April 16.—"The Bailyies with adwyis of the counsell haiffing consideratioun of the waponeschaw appoyntit be His Majestie now approaching and preparatioun thairto they haiff decernit and ordanit the haill burgesses and induelleris wⁱⁿ this burghe and burgesses now duelland at landward to be readye in armour of the best sort they can afford and narest to the armour expressit in the proclamatioun as they possiblie can and to meit ther baillies at the marcat croce of the said burghe be twa houres eftirnoone wpone the nyntein day of Apryll instant to convoy thair bailyies eftir citing of the catologue ilk persone wnder the pane of fourtie punds mo^e. To the effect they may be the better prepared agane the xxij of this instant qlk is the principall waponeschawe day qlk day the burgesses and inhabitantis are ordanit to meit ther saids bailyies at the said croce in sufficient armour ilk ane of them wnder the pane forsaid.

"In cace Wyolet Cowye tuis banischit alreadye beis fund or recept in onye manis hous she sall be instantlie poyndit for fywe pundis.

"Gilbert Mowatt convictit in ane blood wnlaw of fyfite pundis he having drawn a durk and strak Johne Guidbrand in the leg.

April 24.—"Beatrix Hendersone decernit to pay to John Kennedye 5 merks as pryce for ane covering poyndit fra the said Johne as cautioner for the said Beatrix to the Kirk Treasurer, as ane penaltie for hir fornication.

August 7.—"[Act passed that none remove out of the burgh during the time of harvest. The idle, vagabond, and codroche people are to be warded till they find caution that they shall not return if they remove or that they shall not remove.

"Alexander Smothstone, skipper, complains to the bailies of a neighbour in the Seatown who broke the mast of his boat in two and who came at night and] brock my weschell in my ambrie and my spineing quheill qlk wes coft frome Paull Gregor and brock ane mekill dische quhilke was worthe tuell s. and his daylie langag is *heiland theif, Land Lowper*, and give your wisdomes suffer him on punischeit he will owirgang the rest of the towne.

October 2.—"Sir George Ogiluye of Banff elected Provost on the deceis of wmqll Walter Ogiluye of Banff.

"Mr. Patrick Chalmer, eldest lafull sone to wmqll Mr. George Chalmer sheriff clerk and burges of Banff was be universall consent of the provest bailies counsell and burgesses present for the tyme admittit and resaut frieman and burges w'in this burghe *in re paternitatis* with liberties wsit and wount wsit within burghe.

[The ferry boat set for a year for £102 the hand bell for 5 merks and the small customs for 84 merks. The ferry boat with the four oars apprysed for £32 Sc.]

November 17.—"The said day the haill cordineris of the burghe being wardit and imprisonit within the tolbuthe for contravening of the Magistrats command being commandit to bring thair haill wark to the markat ewerie ordinar marcat day and to sell the same at equall and competent pryces and that they sell nane of thair wark within thair housses bot that they bring thair wark to the ordinar marcat place and abyd and attend for selling of thair wark during marcat tyme of day daylie and that they sell not the samen at na meaner pryces thaireftir in thair housses under the paine of 40 pundis and tynsell of the contraveneris fredom.

December 11.—"In presence of the baillies the said day privilege and liberties was giwin be the baillies be adwys of the counsell to John Eldir, cordiner, to use the liberties of any frieman for the space of ane yeir next eftir the dait heirof for qlk he was decernit to pay to the thesaurer of the said burghe fourtie schillingis mo^e within fyftein dayes nixt heirefter under the pain of poynding and dischargeing him of forder working."

1628.

January 8.—“ Absentes from the Head Court unlaured 40s. each : The Lord Cromartie, the Lard Carnowseis, Walter Ogiluy of Reidhyth, James Ogiluy of Paddoclaw, George Bard of Auchmedden, Mr. William Scharpe, &c.

January 13.—“ Alexander Jack servitour to James Turnour ordanit to sit doun on his kneis and crave mercie at Patrik Cokburne for offending him in abusing of his buithe door with horse bones.

“ The cunyngair of the burgh set to Patrick Mair and craiggis and comownties of the burgh benorthe the Kingis hie gait as it passes fra the said burgh to the Kirk of Innerboyndie he to hain the cunyngair and comowntie till the last day of May and thereafter to receive every manis guidis within the said cunyngair for payment of 3s. 4d. for ilk nolt and horse and 8d. for ewerie scheip of frie mennis guidis and 5s. for ilk beast of unfriemennis guidis and 12d. for ilk scheip for their libertie of pasturage and he to hald aff all strangeris guidis and to warrand the grein yeird and ground thereof to be uncassin up or riwin or away caried be onye persone and he to pay to the burghe 5 merks as mail for the said commountie.

April 3.—“ The haill idill pepill in codroche houses and in wther menis houses wnfied war decernit and ordanit to taik themselfes to service with sufficient maisteris befor the first day of Junij nixt to cum or than to withdrawe themselfes and remowe themselfes furthe of the toune befor the day forsaid wnder the pain of banishment and forder punishment of thair bodies at the discretioun of the magistrats wheron Archibald Gregor pro^r fischall askit instruments.

May 6.—“ *Anent hayning of balkis.* It is statut and ordanit that at na tyme coming na beist be sein pasturand in onye of the balkis amongis the cornes growand and pertaining to ony of the inhabitantis within this burghe fra the tyme of the sawing of the land till the shearing of the cornis agane bot that the same be haynit yeirlie in tyme heirefter and schorne be the awneris as they haif to do therwith and incace onye beast ather hors meir or kow beis fund or sein in the balkis in the said forbiddin tyme it is ordanit that the awneris of the beast sa fund, to be than instantlie poyndit for sex s. viiid. mo^e for ilk beast *toties quoties* and siclyk giff onye persone beis fund in onye wther menis balkis

scheiring on the garse ather nicht or day, but license or consent of the awner it is ordanit the persone sa challengit to pay sex s. viiid. *toties quoties*.

May 8.—“Intromissions of William Shand thesaurer with the common good of the burgh betuixt Michaelmas, 1626, and Michaelmas, 1627.

“The Charge is :

“Inprimis of auld rest conforme to the of the last compt comptit the 9 of Marche, 1627, 35 lib. 8d. Item of ferie maill 4^{xx} lib. Item of small customes 46 lib. 13s. 4d. Item the Kingis water maill 24 lib. Item for Ovirak 21 lib. 6s. 8d. Item for the doubill of the few dewtie of thrie nettis of Owirak . . . be the L. of Cromertie and the new lands 13 merks. Item for the maill of Scurrie 9 lib. Item for burgschippis and ryotis 34 lib. 11s. 4d. Item for the few dewtie of the Seytoun 40s. Summa 13 scoir ane punds 5s. 4d.

“Followes the said Thesaurer his Discharge of the said compt :—

“Inprimis debursit be the counter as his particular compt bearis to the minister and Mr. Ro^t Andersone, schuilmaister, for ther stipend, for the gramer schuill, conventioun to the borrowes, handling of the knok, reparatioun of the tolbuthe, mesteris wages, and warkmenis fees as they haif haid to do with. Extendis in the haill to the somme of 9 scoir thrie lib. 8s. 2d. mo^e. So restis on the counter as yit to compt for in his nixt compt thrie scoir sewentein punds sewintein s. twa pennyes mo^e *salvo justo calculo*. In witnes wherof the parties hes sub^t thir presentis as followes : George Ogiluy, prowest ; A. Baird, ballie ; Alex. Wynchester, baillie ; J. Wynchester, cls ; Wm. Schand, thesaurer.

June 1.—“Cristen Cormache wagabund being suspect off thift being wardit within this tolbuthe till scho suld find cautioun for her guid behaviour in time coming and being unhabill to find cautioun obligit hir selff to remowe furth of this burghe and newir to be sein therin in tyme coming and gif scho beis fund to do in the contrair scho consentit this presentis suld be as ane confessit poynt of thift and dittay for hir convictioun.

[John Spence servitor to Archibald Gregor procurator fiscal is fined 40s. for offence to the town and 26s. 8d. to William Stewart for striking William Stewart servitor to George Davidson kirk officer on the head with a hook and bleeding him when the said William Stewart took a burden of grass from him and challenged him for shearing grass in the kirkyard.

June 17.—Helen Crawford spouse to Alexander Ritchie decerned to pay to the Treasurer 20s. for her blooding of Margaret Weir in the arm and 20s. to the said Margaret. The payment of the latter 20s. suspended till order be taken with the said Margaret by the Session for her imprecations to the said Helen and Walter Crawford her father.]

July 1.—“The Counsell convenit. The counsell ordanis ane beirer to be furnischt to be send with diligence to Pearthe with tuentie twa pundis mo^e as this townes pairt of the soumes to be payit at the conventioun of borrowes this present yeir and to be direct to the Commissioner for Aberdein. Item ordanis the fourtie pundis addebtit to the exchekker to be send to Ed^r with any merchant with the first occasioun. Item ordanis ane edict to be send to Aberdein for publisching the present want of ane m^r of schuill and to caus affix the same on the colledge yettis. Item ordanis ane scheip criff biggit on the Gallowhill but license of the toune to be cassin doune and demolischit.

July 8.—“Act anent keiping of cornes fra foulis . . . with power to the awneris of the cornis to fell or slay the saids foulis within the saids cornes. . . .

September 2.—[Act against Archibald Nobill, merchant, burgess of Edinburgh, for keeping an open booth, not being a burgess of Banff. He is ordained to pay £20 if he do so in future.

John Gillan ordained to pay 20s. to the treasurer for striking and blooding John Wilson and other 20s. to the said John Wilson.

October 14.—The Provost elected by the Council and Community out of a list of four persons selected by the Council. George Baird of Auchmedden chosen provost for a year. The Council having “leittit” six persons the Council and community select two from the number as baillies.

The provost baillies and Council choose four persons as cunsters and visitors of ale, beer, and bread within the burgh.]

October 14.—“The ferrie boit and small customes and hand bell roupit *pro primo*. October 21, *pro secundo*. November 11. The ferrie boit set for aucht scoir merkis, the small customes for thrie scoir pundis. The ferrie boit prysit at 36 pundis.

“Curia burgalis burgi de Banff tenta in pretorio eiusdem secundo die mensis decembris 1628 Andrea Baird et Alex^{ro} Wynchester ballivis, sectis vocatis, &c.

"The said day anent the generall complaint and regrait maid and giwin in be Archibald Gregor pro^r fischall of the said burghe aganis the Brousteris and taverneris within this burghe selleris of breid and aill and beir at extra ordinar pryces being insufficient and not of ane equalitie sa that everie woman brouster within this burghe brewis and sellis at sic pryces as it pleises hir selff not regarding the law of the civill magistrat and thairfoir desyreing remeid to be put to the samen in exampill of wtheris to comit the lyik heirefter. The tryall and examinatioun wherof the judges remittit to the persones of inquest following viz : *Nomina Assise*—Thomas Scherund George Stewart Patrik Cockburne James Kennedye Patrik Weynes Patrik Muir Andro Cullen George Guidbrand James Turnor Johne Brig Allane Brig Johne Williecock James Dune.

"The whilk day the persones of inquest abouewrittin being suorne and inclosit and haweing tackin notice and consideratioun of the present pryces of the wictuell ordanis and statutis that guid and sufficient aeill be browin and sauld within the burghe be the haill brousteris for xij pennyes the pynt guid and sufficient beir for fourtein pennyes the pynt guid bread being caikis four being bakin out of the peck for twa schillingis the caik aucht aeit loaves to be bakin out of the peck for xij pennyes the loaff and the quheynt loaff being sextein wnce wecht to be sauld for tuelff pennyes mo^e and ordanit the contraveiner to be instantlie poyndit for xiii s. iv d. mo^e of thair rediest geir *toties quoties* immediatlie of the tryall of thair trespass and hes giwin furth thair declaratour be the mouth of the said Thomas Scherund thair chancellor to the qlk the judges interponit thair auctoritie and ordanit the samen to be put in executioun and thairon Arch^d Gregor pro^r forsd askit instrumentis. Thomas Scherund."

1629.

February 24.—"Mariorie Hay in Banff being challengit as ane unlaifull leivand persone out of service but calling or industrie or meanis to intertenye hirselff sufficientlie but the harme of wther persones was wardit within the tolbuthe quhill scho suld find sufficient caution for hir Cristiane lyif in kirk and comowneweill but scandell or reproche for hir releif of out of the qlk ward James Greg, burges of Banff, became cautioner.

February 28.—“Patrik Charles in Boigmuchillis apprehendit as ane forstaller and regrater and wardit within the tolbuthe till he suld wnderlye the magistratis thair censure.

April 21.—“[Sir Thomas Urquhart of Cromarty having become caution for the appearance of Alexander Forbes merchant in Baluenye, alleged forestaller, and the said Alexander not having appeared Sir Thomas is decerned to pay £40.

April 21.—“Robert Stewart Chamberlain to Sir George Ogilvy of Banff appeared and required Patrick Muir (and 14 others) to pay in their ferme bear to him for crop 1628 before the 3 May otherways to pay £10 for every boll.

March 19.—“John Brig and two others decerned to pay four pounds each for not appearing to answer to a charge of breach of peace. Treasurer's Accounts: Ferryboat £102, small customs £53 6s. 8d., Guishauche 40s., accidental casualties £270. Sum of charge £484 6s. 8d. Discharge:—To the schoolmaster 100 merks, ‘for handling of the knok’ 10 merks. Sum of discharge £423 11s. 6d.

July 1.—“An assise convicts Isobel Mitchell of several acts of theft and convicts her] as ane leud licentious liver in thift and whordome contrair to the law of God and man. [The judges] ordanit the said Issobell Mitchell to be presentlie strippit naikit and scurgit out of the fredome of this burgh and perpetuallie banischit furthe theroff with certificatioun that whensoever scho beis fund within the said burgh heirefter scho salbe brint on the cheik with ane hoat key for the first tyme and gif scho beis fund thairefter to be apprehendit and put to deathe as ane notorious theif worthe thair of but forder tryall. [John Abernethy, son to James Abernethy in Portsoy, also scourged and banished for theft.]

July 28.—“Mr. Alex. Setoun minister at Banff was decernit be the aith of Gilbert Mair merchand burgess of Banff to pay to the said Gilbert the soume of tuentie nyne pundis 8d. for himself and as cautioner and only debtour for Mr. George Chalmer sumtyme schuilmaister of Banff for the pryces of certane merchandise coft and resaut be them from the said Gilbert at sindrie tymes beginand in anno 1624.

August 11.—“*Glening of cornes.* The bailies ordain that na persone of whatsumevir rank or qualitie presum to be fund glening or gadding onye sort of cornes wpone onye manis boundis befor the [tyme] of

leiding of the cornes af of the boundis and licence grantit be the awner of the ground. Any persone transgressing to be presentlie taikin and put in the stokkis thairin to remain for the space of aucht houres.

October.—[The Council make a leet of six persons for Provost. Thereafter the Council and Community vote thereon. George Baird of Auchmedden elected provost for one year.]

October 6.—“The ferrieboit and the small customes roupit at the tolbuthe window. October 21.—The small customes set to William Ogiluye for 105 merks the ferrieboit as abefoir for 160 merks.

“[Alex. Cook enters on the lands and tenements held by his grandfather John Ryot. Part of these are] held of the provost bailies and counsell in few ferme and heretage for yeirlie payment of tua footballs as few dewtie for the said tenement and yaird at the feast of Chrystismes and aughtene pennyes Scottis mo^e as few dewtie for the said peace land yeirlie at the termes of Witsonday and Mertimes.

November 17.—“*Anent the recept of idill people but license.* The Bailies haweing consideratioun of the great harme and burding qlk this burghe susteins be the multitude of idill vagabund peopill strangeris laitlie cum in within the said burghe but onye testificat producit be them of thair honestie in utheris pleices wher they haid thair last residence, now halding codroche housses, leiving on wthers menis meanis, for remeid wherof the bailies statute and ordanit that the officeris go presentlie throw this burghe and trye in whais houses onye sic persones makis thair residence and in speciall to Wm. Gordoune Paull Gregor Wm. Schand Johne Ogiluye and thar to sersche and trye the saidis persones and to remowe them presentlie furthe of this burghe and to lock thair doris and giwe the keyis to the awneris thairroff and in cace of not finding patent dorres ordainis the officeris to cast doune the saidis houses and remowe the saidis persones presentlie furthe of this burghe. Recepters to be poyndit for fywe pundis.

December 15.—“Walter Dunbar decernit to pay to John Kennedye ane firloft of great salt borrowit about the space of thrie yeiris syne or than fywe s. for ilk peck.”

[From 1623 to 1629 there were 12 assises (of about 13 persons each) for trial of serious offences or for fixing the price of bread, ale, &c.]

1630.

January 12.—“ [John Brig, skipper in Banff, secreted some goods he had, belonging to James Duncan and David Graham, merchants, taking them to a boat by night without paying custom. After trial he was deprived of his burgess-ship, but allowed to accept it again on payment of £40, remaining in ward till he should give satisfaction.

January 26.—“ Paul Gregor decerned to pay ten pounds as fine for injurious words to Thomas Scherund, bailie, saying that] the Devil was in his pryid sen he grew ane new bailyie.

February 10.—“ [The Clerk is instructed to compel all burgesses to make residence. Table of Customs]:—Ane load of claithes of q^tsoever sort 3s. 4d. ; ane load of tymber 2s. 6d. ; ane load of bark 12d. ; ane cart 12d. ; ane pair of creillis 4d. ; ane boll meill, ane quarter peck or pryce thair of conforme to the tyme ; ane boll of malt, conforme ; ane load of fisches 12d. ; ane burden of fisches not being within 5 disoun 4d. ; ane Pennen milsteane 4s. ; ane Murray steane 3s. 4d. ; ane boitfull of Scottis tymber 10s. or the best trie in the boit ; ane boitfull of mussilis, 1 peck or the pryce therof ; the boll of fruit 2s. ; ilk barkit hyid 8d. ; ilk pair schoone 2d. ; ilk pair buit is 8d. ; ane woob of claithe being lyn ing or woolne of xx elnes of lenthe or therby 12d., and being within the said lenthe 8d., ane woob of hardin claithe of the lyik lenthe 8d., ane wob of small lyn ing 16d. ; ane hewit plaid 12d. ; ane comowne plaid 8d. ; ane merchandis pack within the said pryce 12d. ; ane chopmanis pack of less worthe 6d. ; ane blaksmythis stand 8d. ; ane load of wricht wark 2s. ; ane load of cupar craft 2s. ; the steane of woll 8d. ; the steane of cheis 4d. ; the steane of butter 8d. ; the steane of tallowe 8d. ; ane hors 12d. ; ane hors load of lynt, hempt, hardis, cardis, pannis, houp, or sic wther wairis 3s. 4d. ; ilk burden of fruit 4d. ; ilk load of piggis 8d. ; ilk barrell salmound fisches 8d. ; ane carkische of beiff 8d. ; ane carkische of muttoun 4d.

“ The Counsell ordainis aill to be browin and sauld for xvid. the pynt, and beir for xviiiid. the pynt.

July 27.—[Actions by Lord Ogilvy against George Davidson and seven others for non-payment of their farm rents for crop 1629, also by Sir George Ogilvy of Banff against Walter Dunbar and seven others,

also by George Meldrum against Paul Gregor and eight others in occupation of the lands called Dalhauche.]

"At Banff the xxviii day of July, 1630, in presence of Thomas Scherund ane of the bailyies of the said burghe, comperit personallie Mr. James Meluill, minister at Alwache and Mr. Williame Chalmer, minister at Innerboyndie for themselfes and in name of Mr. Johne Logie, moderator of the presbiterie of Fordyce and presentit ane vagabund man callit Johne Philp, suspect of witchecraft be charming and wascheing of seik peopill and desyring the said Johne to be resaut in firmance within the wardhouse of the said burghe therin to remain till ane commissioun suld be send for, for administration of justice on him for the said cryme quhilk was presentlie done and the said John incarcerat within the stoks and the said Mr. Wm. Chalmer became cautioner for his interteinment and for the jayloris fie.

October 12.—"An assise fix the price of ale at 14d. the pint, beer 16d. the pint the quarter of caik four caiks being bakin furthe of the peck for 6d. the oat loaf being ten out of the peck for 12d. and the loaff of quheyt bread being sextein wnce wecht for 12d.

November 23.—"Thomas Randell was decernit to pay to William Schand thesaurer of this burghe 20s. and to Patrik Barclay uther 20s. for striking, hurting, and dinging of the said Patrik and to stand in waired within the said tolbuthe ay and quhill he haif payit the saids soumes."

1631.

February 15.—"*Ordinance anent the poor folkis.* Anent the ordour appoyntit be the estaitis of this kingdome to tack ordor anent the maintenance and sustenance of the poore people of the Kingdome wnhable to wirk for thair awin leiving be reassone of age or youthe or onye wther infirmatie and for that effect the burghe hawing a speciall cair to obey the said ordinance and to provyd for the maintenance of thair awin poore of the estait forsaid according to the said burgh and inhabitants thair of thair strenthe and abilitie and the said burghe haweing be universal consent amongis themselfes pairtit and devydit them selfes in four severall and equall quarteris and siclyk the poor peopill accordinglie to wit fywe poore peopill to ilk quarter to wit to the guidmane of Auchmeddene his quarter . . . (5), to Androw

Baird his quarter . . . (5), to Dr. Douglas his quarter . . . (5), and to Alexander Wynchester his quarter . . . (5). For the maintenance of the quhilk poore people the saidis four quarters of the burghe haiff presentlie agreed amongis them selffes to giwe everie persone ane equall portioun for their sustentatioun weiklie in sic maner and forme as may easilie suffice them to hald them wnbeggit, ather in the cuntrey or fra onye persone in the toune except fra sic people as haif wnderitakin the burding of thair maintenance and gif the poore persones happinis ather to go and beg in the cuntrey or to disturb onye of the wther thrie quarteris to whom the same is not allotit ordanis sic a poore persone to be perpetuallie banischit this burghe and siclyk decernis and ordanis the haill inhabitantis of this burghe to anser and readilie obey the said poore people in tyme heireftir accordinglie as it is presentlie condiscendit or as it sall happin the saidis inhabitantis to agrie with the persones quha wnderitak the burding of the saidis persones and in cace of dissobedience ordanis the dissobeyar to be instantlie poyndit efter the tryall thairoff in presence of ane magistrat and forder ordains and statutis that in cace onye persone induellar within the burghe happinis to giwe onye support to onye outland or stranger beggar in tyme heirefter ather in meit, moneyes or ludgeing ordanis the contraveiner to be instantlie poyndit for sex schillingis aucht pennyes *toties quoties* efter the tryall to the quhilk premisses the provest and bailyeis forsaisd interponit thair autoritie.

May 24.—[George Davidson and William Wallace accused of taking the Laird of Cromarty's wines on the shore during the night and drinking great quantities of them in private houses.]

June 28.—"Robert Adame in Fordyce sumtyme burges in Banff was of his awin consent dischargeit of his friedome within this burghe.

July 26.—"It is ordanit that na indueller within this burghe cast, win, nor leid onye fule feall in onye pairt of the said comountie, to onye maner of wse, af of the Gallowhill under the pain of ten pundis.

October 11.—"Complaint on the brousteris and baksteris in brewing ewill and small beir and aill and in baiking of evill and small breid and tackand extra ordinar pryces for the samen considering the present cheapnes of the victual, prayset be God. [An inquest fix the price of ale at 12d the pint, beer at 14d] thrie caikis to be baiken out of the caik for tua schillingis the caik sex aet loaves out of the peck for tuelff pennyes the peice and the quheyt loavis to be tuelff unce wecht for 12d.

October 21.—“[Complaint against Wm. Tailyeour, burgess, and Katherein Scherund his spouse and Janet Tailyeour that upon Tuesday when] the twa bailies were coming fra the prayeris Katherein took a curtche from a barne dochter of Androw Redheid. The baillies inquired of Katherein about it and she after some idle and ungodly speeches strak and dang the said Margaret in presence of the baillies and also Janet strak and dang her and when the said Margaret was weeping on the calsay besyd the marcat croce they strak and dang her again. [He also threatened the officer. An assise discharge the said William of his freedom and decern the said William and his spouse to an unlaw of £20] and forder findis it meit and expedient that the saidis William and Katherein and thair dochter go publictly to the pillar of repentence on Sondag in tyme of divyne service and thair sall resaive ane repruiff in presence of the people for thair bygane ovirsichtis with admonitioun to refrain fra the lyik in tyme heirefter.

November 1.—[Alexander Cumyng ordained to remain in ward within the tolbooth till he pay 40s., for “recepting” of servants to drink.]

“Upon the 29 of December, 1631, James Maltman, burges of Banff, ferriour and takisman of the ferrieboit for the tyme out of negligence and sleuth being laying thair of in the nicht nothing being within the samen except the oares, lost the said boit furthe at the water mouthe to the sea and nevir was gottin agane, be the want wherof the toun war forceit wpone the day following to borrowe fra Sir George Ogiluye off Carnowseis, knicht baronet his midil shoit boit for serving of the toun thair present necessitie and to be redelyuerit to him before Candilmes nixt als guid as scho was the tyme of the borrowing quhilk was compryisit to be worthe sextein pundis.”

1632.

January 31.—“Meallie Nicoll, spous to Johne Brig, haweing produceit judicialle ane peice of reid stuff of thrie pund wecht and littit be Alex^r Ritchie and compleining of the insufficiencie of the litting thair of and dearthe of the pryce thair of the judges ordanit the said Alex^r to declair wpone his aithe q^t pryces he haid giwin to the litster for the pund wechtis litting who haweing suorne judiciallie deponit he haid giwin 40s. for ilk pund wecht thair of wherfor the judges decernit the said Mealie to

pay to the said Alex^r the said pryce for ilk punds litting and the said Alex^r to delyuer to hir the said stuff and that within terme of law.

February 6.—“ The auld ferrieboit being lost the toune was forcit to erect and big ane new boit whilk is apprysit to be presentlie worthe with the oares and necessaris ane hundrethe pundis.

October 2.—“ *Anent the receipt of Seruandis wnder nicht.* The judges haweing consideratioun of the great skaithe and damage susteint be the honest men of this burghe throw thair seruandis abusing of them selffes spending of thair guidis wnder nicht, and neglecting of thair maisteris service and affairis, for remeid wherof it is ordanit that in cace onye persone beis fund and challengit to haif or receave within thair houses drinking or onye wther maner of way onye honest manis servand man, boy, or woman, at onye tyme heireftir, eftir sex houres at nicht but license sic ane persone be poyndit for 40s.

December 11.—[Pint of ale fixed at 16d. ; of beer at 18d. ; quarter of cake 8d. ; victual malt and meal £7 the boll.]

“ The forme and maner of the solemne oath imposit to burgesses of frie burrowis the tyme of thair admissioun and when they ar maid friemen of the burgh.

“ That is to say :—

1. Ye salbe leill and trew to our Souerane Lord the Kingis grace and to the prowest and Baillies of this burghe as your superiors wnder him and them and their officeris obey.
2. Ye sall scot and loit, watche and waird with nightbors and wtheris.
3. Ye shall stob and staik, big and belte wⁱⁿ this burgh according to your power.
4. Ye shall prefer the comounweill of this burghe befor your awin particulare.
5. Ye sall mantein the liberties and fredome of this burgh.
6. Ye sall concure and assist the provest and baillies counsell and comunitie of this burghe in thair defences aganis all wtheris pairties.
7. Ye shall giwe your trew and anefauld counsell to them and thair counsell concealland q^t ye may knaw tending to thair hurt and hender in onye thing to reweill it to them as ane faithfull nichtbour.
8. Ye sall hyid nor conceall no wnfrie trafacteris geir, bot to your magistratis ye sall reweill the samen.

And heirwpone ye sall giwe your aith in most solemne forme to be imposit be the provest or bailliwe or clerk. J. Wynchester, clericus. 1624." *

1633.

"Curia capitalis burgi de Banff, tenta in pretorio eiusdem per honorabiles viros Georgium Baird de Auchmedden prepositum et Alexandrum Wynchester burgensem ac unum ballivorum dicti burgi pro tribunali sedeñ. octavo die mensis Januarij anno domini millesimo sexcentesimo tricesimo tertio. Quo die sectis vocatis curia legitime affirmata fuit.

" Absentes—Alex. Ogiluye, Mr. Alex. Dowglas, George Hutcheon, Johne Howye, Gilbert Mair, Patrik Muir, Wm. Gordoune, James Oisburne, James Greig, Alex^r Ritchie, Thomas Symesone, Jo. Williecok, Wm. Dewcheris, Patrik Syme, Patrik Charlis, James Lorimer, Jo. Steinsone, James Ogiluye, John Barroune, William Wat.

* The above form of oath bears a great similarity to the "Integrum juramentum burgensis et confratris gilde" (Ancient Laws and Customs of the Burghs of Scotland, p. 127), a form of oath that appears in the Ayr MS., which is of the time of Robert I. (1306-1329):—

- (1) Quod erit leel et feel domino Regi et communitati illius burgi in quo factus est burgensis.
- (2) Et quod dabit Regi firmam fideliter pro terra quam defendit.
- (3) Et quod erit obediens in lictis preposito et balliuis.
- (4) Et quod celet archanum consilium communitatis.
- (5) Et si dampnum eorum nouerit premuniet eis uel in hoc ponet remedium si poterit.
- (6) Et quociens requisitus fuerit pro communi negocio fidele consilium et auxilium eis dabit pro posse suo.
- (7) Et quod libertates leges et consuetudines dicti burgi durante vita secundum posse suum manutenebit.

Et facto huiusmodi sacramento osculari debet prepositum et vicinos si frater Gilde fuerit.

[The entire oath of a burgess and brother of the gild :—

- (1) That he will be leel and feel to our Lord the King and to the community of that burgh in which he is made burgess.
- (2) And that he will give to the King faithfully rent for the land which he defends.
- (3) And that he will be obedient in things lawful to the provost and bailies.
- (4) And that he will keep the secret counsel of the community.
- (5) And if any thing to their prejudice shall come to his knowledge he will forewarn them or apply a remedy if he can.
- (6) And that as often as he shall be asked he will give them faithful counsel and assistance in the common business to his power.
- (7) And that he will maintain the liberties, laws, and customs of the said burgh during his life according to his power.

And the oath being made in this manner he ought to kiss the provost and the brethren, if he be a brother of the gild.]

"Decernis ilk ane of the saidis personis absent in ane wnlaw of 40s. for defect of presence to this Court to be peyit to Wm. Schand, thesaurer, within fyftein dayes wnder the pain of poynding &c.

January 8.—"The quhilk day William Moir in Knokorthie, forstaller, compeirand and referand him selff in the saidis Judges thair will for his bygane trespass was be universall consent decernit in ane vnlaw of ten merkis mo^e quhilk was presentlie payit to the thesaurer and in 27s. 8d. mo^e lyikwayes payit to Wm. Cumming.

"Curia burgalis burgi de Banff tenta in pretorio eiusdem per discretum virum Alexandrum Wynchester burgensem ac unum ballivorum dicti burgi pro tribunali sedeñ. duodecimo die mensis Februarij anno dñi millesimo sexcentesimo tricesimo tertio quo die sectis vocatis curia legitime affirmata fuit.

February 12.—"Mariorie Crawfuird was decernit to haif done wrong to Janet Joiss spous to Gilbert Sandisone in giwing hir iniurious wordis and dinging hir w^t hir handis and to pay to the thesaurer thairfor 30s.

February 19.—[Adam Simson in Fraserburgh on a market day in Banff held a loaded pistol to Alex. Oirsman's breast and called him churlische carle and cucold loon when Alexander Oirsman "drew ane quhinger and strak and hurt" the said Adam under the collar bone to the effusion of blood. Alexander was sentenced to pay to the Treasurer £40 and Adam to pay 20 merks as assythment to Alexander.]

March 26.—"Wm. Ogilvy struck and bled Wm. Fordyce in the schuilder with a durk when playing at dice under cloud and silence of night. They are decerned to pay £10 each and to stand in firmance in the tolbooth till the morne at aucht houres in the morning.

March 26.—"Androw Baird produceit the Kingis chartour of confirmatione of ane chartour of the secund teyndis grantit in favoris of the Gramer Schoole of the said burghe of Banff be wmq^{ll} David Cuninghame bischop of Aberdein of the dait at Falkland the xxij of July 1592 yeiris quhilk chartour was put in the custodie of the Clerk.

July 2.—"Alex. Ritchie decernit to pay 500 merks to the Treasurer he having become cautioner to present Jeane Cruickshank for trial who had stolen a barrow, unthrashen beir, five pewter plaitis, ane tine choppin stoupt wherof the names and markis war brunt off be ane tayngis or sum wther instrument.

July 2.—[Complaint by the procurator-fiscal against Janet Mylne and twenty-four other women, residents within the burgh, as being idle-living people, living upon unlawful shifts without any lawful calling or industry. Their case referred to an assise.]

August 8.—“Mariorie Scherund being in firmance in the stockis within the tolbuthe to wnderlye the tryall of ane assyis for thifteous recepting of certane meill and salt beiff stollin furth of Patrik Weynes his seller at sundrie tymes, rather tuik voluntar banischement wpone her to be banischit perpetuallie furthe of the fredome of the said burghe for quhilk James Oisburne becam cautioner.

August 27.—“Jeane Cruickshank tackin and apprehendit and put in firmance thir sevin dayes bypast.

August 27.—“William Gordon decernit to pay 5 merks for deforcing Gilbert Mowat, officer, when poynding a brason pan for payment of 6s. 8d. as his part of the taxation conform to the stent roll.

October 8.—“Patrik Schand strak and dang John Howye with ane quhinger and the said John strak and dang the said Patrik with the keyes of ane buithe door to the effusioun of ilk ane of thair blood in great quantetie. John Howye is decernit to pay 20 merks and Patrik Schand ten pundis as blood wnlawes.

“Paid to Androw Baird for his expenses in being Commissioner to the Parliament and to the conventioun and doing wtheris the townes affacirs £200.

“Paid for thrie kittis of salmound send to M. Alex. Guthrie, Jo^a Baird, and Patrik Ranken for thair pains tacken in the townes affacirs £24 13s. 4d.”

1634.

February 25.—“James Scot finds caution to compear for trial for wounding and blood-drawing of James Turnor in the heid with the said James Turnor his awin durk and of Walter Adamsone in the right arme with the said durk. The baillies decern him in an unlaw of £50.

May 20.—“*Anent Quheyt Breid.* Complaint by the pro^r fischall that whair the bakeris of quheyt breid within this burghe are becum so gredie and cairles of thair honestie and credit that not onlie baik they thair breid sa litle and of sa litle worthe as it is a shaime to sie them but also mixis beir meill among the floure and so sellis beir breid for clein quheyt breid,

it is ordanit that the baxteris of quheyt breid w'in this burghe baik guid and sufficient quheyt breid for tuelff pennyes Scotis mo^e the loaff at of wecht under the pain of confiscatioun of the haill baitche of breid to be distribute to the poore. Onye persone mixing beir meill among the floore to be poyndit for fywe pundis.

August 5.—“*Watching the Toun.* The bailyes be advyis and consent of the counsell and comunitie convenit for the tyme haiffing consideratioun of the scarsitie of menis interteinment this present yeir and that thairbye manye poore people for want of meanis ar becum thieves and that sindrie houses and buithes within the said burghe ar brokin wnder nicht and sindrie mennis geir stollin furthe therof, for remeid wheroff and preventing of sic inconveniences in tyme coming the bailyes haiff statute and ordanit that twa househalderis, accompanied with ane officer sall walk the toune nichtlie fra the dait of this presentis betuix ten houres at nicht and four houres in the morning quhill the last day of September beginand at the north-east end of the said burghe and sua furthe ordourlie throw the toun according to the course of the sone. Ilk persone dissobeyand to be poyndit for 40s. and in the meantyme the walkeris to be comptable for all guidis to be stollin the nicht of thair walk.

October 9.—“Barbara Scot decernit to pay 20 merkis for dinging of hir servand, ryving of hir haire out of hir head, conforme to ane former Act maid aganis hir.”

[The small customs set for 105 merks and the ferry boat for £90.]

1635.

March 31.—“The Provost and Bailyes haiffing consideratioun of the ordinance maid be the Lordis of our Souerane Lordis Counsell anent the forbidding and inhibiting of all persones within this Kingdome to haiff in ther custodie or vsing of that sort of cunzie of copper callit fardingis or Irische moneye or fals or adulterat cunzie haiff heirfoir for thair pairt and entrie statut and ordanit that na persone nor persones within this burghe or fredome therof haif or keip in thair possessioun or keiping at onye tyme heirefter wnder the paine to be punischit in thair bodies, guidis, and geir, at the discretioun of the magistratis and ordanit this thair ordinance to be proclamet throw the burghe be sound of drum.

April 21.—[Magdalen Glashen and thirteen other women having been out of service for a long time living lewdly and idly in codroche houses by theft and other indirect meanes are ordained to go to service or to remove out of the burgh under pain of perpetual banishment and to be wardet till they find caution for that effect.]

June 16.—“Patrick Schand and George Daudsone, burgesses, admittit constables for the space of sex monethes, conforme to the Actis of Parliament.

June 26.—“Katherine Tailyeour, vagabound, being taikin and apprehendit and put in the stockis as idill vagabound and leud leiwand persone, suspect of thift, was banischit furthe of the fredome of this burghe in all tyme cumyng and gif evir scho sald happin to be sein at onye tyme heirefter within this burghe it was ordanit that scho sald be brunt with ane hoat key on the cheik and thereafter scurgit furthe of the toune.

October 13.—“The comoune chartour of this burghe is delyverit to George Baird of Auchmedden provest to be sent southe for instructing the reassounes of ane suspensioun raisit in favors of the said burghe aganis the vniversitie of Aberdein anent the payment of nyntein merks yeirlie to the said vniversitie.

October 20.—“The pro^r fischall compleins that notwithstanding of the guid appeirance of the cheapnes of victuell presentlie within this burghe praysit be God yit nevirtheles the brousteris and baksteris be way of extortioune and to the evill example of the cuntrey round about this burghe they daylie sell the pynt acill at 18d., the pynt of beir at 20d. and the breid verye litill at exorbitant pryces. [An assise fix the price of ale at 16d. and beer at 18d. the quarter of cake of good oat bread 4 cakes being baken out of the peck for 8d., the oat loaf ten being baken out of the peck for 12d. and 12 oz. weight of barley white bread for 12d.] The judges appoynt and ordain Patrik Weynes [and three others] to be cunsters of the drink and sichteris of the breid for the space of ane yeir.

December 15.—“Patrik Weynes [and two others] ordanit to be poyndit for four merks ilk ane of them for selling of beir be tacking of 20d. for the pynt.”

1636.

January 7.—“It being regraitit that the kirk of the said burghe being presentlie biging and the maisteris of wark and meassounes standis in

neid and necessitie of lyme and that wtheris persones and merchandis within the said burghe coupis and byis sic lyme as happinis to cum to the said burghe to ther awin privat wses fra that na lyme can be haid to the said kirk wark thairfor and for performance of the said wark the judges ordanis that na persone within this burghe by onye lyme to thair awin wse befor the compleitting of the said kirkwark wnacquayntit the saids maisteris off wark and meassones therwith and of ther necessities therof wnder the pain of fourtie schillingis mo^e ilk persone *toties quoties*.

August 9.—“George Henrie in Brakanhillis flescher finds caution that he sall bring na meit to the croce but skin, hyid, horne, tayills, tauche, in sufficient forme and wncuttit out betuix the schoolderis.

August 27.—“Gilbert Mair of Awaildis presentit to the bailie in presence of Mr. Alexander Setoune minister of the burghe and sindrie wtheris dyvers honest men Margaret Nicoll, relict of wmqⁿ William Bartlet in Fauchfauldis as ane witche at least suspect of witchecraft be hir awin confessioun maid in presence of the said minister and certain famous honest men and thairfoir the said Gilbert as ane of the constables of the parrochin of Gamrie desyrit the said Margaret to be incarcerat ay and qll scho abyd ane tryall of ane famous assyis. The bailie ordanit at least gawe way and license to the said Gilbert to put the said Margaret in firmance.

Accounts—Michaelmas, 1633, to Michaelmas, 1636.

1633, October 3.—“To Willie Wat, scurger, for outhalding the poore, £3 6s. 8d.

“Given to Margaret Urquhart for Mr. Harie Drummond, preacher, his expenses in May, 1634, £10 16s. 8d.

“To Willie Wat, scurger, for his Whitsondayes pay, 1634, £3 6s. 8d.

“Item giwin to James Turnor for ane kit of salmound giwin to Patrick Ranken in September, 1634, £8.

“For making of the guid schakillis and lock therof and for the vine therof, £36 13s. For making of the gallows, 13s.

“For ane kit of salmound to Mr. James Baird, £8.

“Given to Mr. Ja. Kennedye as debursit be him for defence of the teyndis, £11 4s.

“Item for towis to bind the witches, 8s.

"For making of the pit dor, for tymber, bandis, naillis and workmaneschip, £3 13s. Mair to the said Willie Wat, scurger, £3 6s. 8d. Item for towes to the gallowses, 3s. 4d. Item to Walter Ritchie, sone to Androw Ritchie, for furnischeing of him cloathes befor his Lauriatioun, £13 6s. 8d."

October 4.—[The Michaelmas Head Court to be kept in all time coming on the last Tuesday of September instead of the first Tuesday of October which is the first day of Cogane (sic) fair at Turriff the merchants and inhabitants having hitherto been disappointed of their market.]

October 18.—"Robert Steuart decernit to pay £5 for casting of feall and diffet in the comountie betuix the hie gait as it passes fra the burghe to the Kirk of Innerboyndie and the sea.

November 9.—[The procurator fiscal complains against Beatrix Henrysone, John Browne, elder, and his bairns and ten others who] liwe idlie as codroches out of service in privat houses haweing na lau^{ll} calling, traid, nor vocation. [An assise being sworn ten of these persons were ordered to take themselves to honest service within four days or] to flit and remowe them selffes furthe and fra and out of the fredome of this burgh under the paine off banishment [and the others to find caution for their lawful living in time coming under the pain of £20.

December 13.—"The procurator fiscal gives in a complaint that notwithstanding the cheapness of victual the vintners and sellers of beer, ale and bread sell the same] at sic exhorbitant pryces as the poore people can not be sustenit in competent forme [and desires] remeid to be put thairto according to reasone and conscience. [An assise of fifteen persons], considering the present scarsitie of the victuell be reassone of the litle and small incres of this present cropt and thairbye the present dearthe thairof to wit that na guid malt nor guid meill can be haid within aucht pundis the boll at least, [find it expedient that the beer and ale be sold at the present prices: ale 16d. the pint, beer 20d. the pint, and the quarter cake, four cakes being baken out of the peck, for 8d. and the oat loaf, ten being baken out of the peck, for 12d.] till it pleis God till send greater abundance of victuell. The bailyes chusit four cunsteris of the beir and aeill and sichteris of the breid.

December 20.—"[James Oisburne decerned to pay £5 for striking John Hendersone] ane great straik with ane spaid on the heid and ear

[while the said John was] redding ane wnder watergang [and John Henderson to pay 5 merks, he having] strak and dang the said James with ane wther spaid on the heid and face."

1637.

March 28.—"Anent the complaint maid and givin in be Thomas Litolione aganis William Wallace merchant regrating and compleining that the said William suld threittean and minas Beatrix Foulis his wyiff and offerit to strik and ding him selff and the said Beatrix, and gawe his aithe that he dreaid and fearit the said William bodelie harme and oppressioun wherfor the said William was wardit. James Kennedye becomes cautioner and sourtie and lawborrowes for the said William Wallace that the said William nor na wtheris q^m he may stopt or lot sall not truble inquiet nor molest the said Thomas nor his said spous ther bairns and servandis in thair bodies guidis nor geir wnder the paine of fourtie pundis.

July 25.—"Anent the generall complent that wnder the cullor and pretext of the Bountay draucht of peitis giuin be the maisteris to thair servandis yeirlie the saidis servandis haweing gottin licence of thair maisteris and len of thair horses they to the great hurt and hender of the haill awneris of peitis within the moisses steillis, away tackis wther menis meins and sellis thair awin maisteris peitis to wthir people: Thairfor the bailye ordanit that na persoun tack wpone hand to giwe nor grant onye bountay draucht of peitis to thair servandis nor giwe guidwill of thair horses for that effect under the paine of aucht pundis wsuall Scotis mo^e and ordanit that gif onye servand steill or thifteouslie away tack onye manis peitis or sell thair awin maisteris peitis he sall be put and detenit in suire waird and firmance ay and qll they haif maid payment of the soume of foure poundis mo^e.

August 8.—"Gaven Thomesone decernit to pay fywe pundis for casting of feall and diffet within the linkis and buttis. Alex. Chrystie decernit to pay 40s. for steilling his bountay draucht of peitis.

"[The bailies ordain that no person fee himself to landward for harvest as thus they] frustrat the honest men of the toune of servandis in harvest [and if they so fee they shall not be received again into the burgh till they pay £5.

August 14.—“The bailies with advice of the counsel and for the augmentation of the common good of the burgh set to James Adam in Seatown for three years at 13s. 4d. as maill a piece of the common lands of the burgh at the West part of the Seatown extending to two pecks bear sowing or thereby].

September 9.—“The Borrow or Justice Court of the Burgh off Banf haldin within the tolbuthe of the samen be hono^{ll} men George Baird of Auchmedden provest of the said burghe Mr. Alexander Douglas and Androw Baird one of the bailyics of the samen and be William Wat in Banff dempster of the said Court.

“Presentit Franceis Broune sone to John Broune wobster in Banff with the dittay and fang wnderwreittin tackin and apprehendit as ane theiff upon the sext day of September instant and than put in firmance in the stockis qⁱⁿ he hes remanit quhill this present tyme.

“Followes the poyntis of the said dittay aganis the said Franceis.

“Inprimis, Thow art indytit for the thifteous steilling fra William Ewin in Banff in the monethe of August last was of thrie horses taillis as thou cannot denye. Denyis.

“Secundlie, Thow art indytit for the thifteous steilling fra Joⁿ Robertstone, servand to Alex^r Oirsman off ane elne of plaiding with ane reid sellvege wherof thow causit Walter Mihi tailyeour mak ane pair of schankis heir judiciallie presentit with ane pair of gluiffes and twyne thred as thow cannot denye. Denyis.

“Thirdlie, Thow art indytit for steilling fra David Dunbar servitor to W^m Hay off ane schirt qlk thow hes presentlie wpone the, as thow cannot denye. Denyis.

“Fourthlie, Thow art indytit for cumyng about midnight on Saturday the secound day of September instant to the said burghe to the marcat place theroff accompanied with Joⁿ Cryistie, vagabound, banischit abefoir furthe of this burghe. And thereftir the essaying of Ro^t Wallace his buithe, James Kennedy his buithe, Joⁿ Howye his buithe, and pressing to brak wp the said Joⁿ Howye his buithe thow brak and lousit ane stensecune of his buithe window and finding that thow was not abill to goe in at the said window thow past in to Alex^r Oirsman his clois and thair at ane door of the said buithe biggit wp with faille thow w^t ane trie or sum wther instrument drew out certane geir and seasing wpone certane heid hempt and drawing the samen to the hoill qlk thow haid

maid closit sua that thow culd not get thy intentione wrocht and being dissapoyntit of thy purpois thair thow past accompanied as said is to the said Patrik Schand his buithe and thereafter thow haid brokin wp the window of the said Patrik his buithe w^t ane aix thow past in therat and thair thifteouslie stole out of the said buithe and cariet away with the gudis and geir following viz. some dolors worthe of turnoris or therby, thrie string of silk buttounes, threitie elnes or therbye of dbubill ribbounes, sex hankis of blak silk, ten silk poyntis, ane buist full of brunt wax, sume golff ballis, ane pair of gluiffis, sum lettres, ane brusche, ane comb and certane wther geir all fund with eftir dackering and searsching and heir presentit with the as ane fang, as thow can not denye. Confessit the essaying of the buithes, confessit the steilling of Patrik Schand his geir and that he sauld twa of the golf ballis to Thomas Urquhart servand.

" Fyiftlie, Thow art indytit as ane comowne steiller of cornes af of the feildis in tyme of harvest and careing of the samen to thy father and mother house and to thy maisteris stables wherevir thow duelt as thow can not denye. Confesses.

" And lastlie thow art indytit as ane comoune and notorious theiff this dyvers yeiris bygane be steilling of all sortis of geir wherevir thow culd find the samen.

" The judges remit the forder tryell of the said dittay to the persones of inquest following [15 in number] lafullie sumound to that effect. Thomas Scherund electit thair chancellor. The assysoris assoilyie the said Franceis Broune fra the steilling of the horses taillis in respect of na confessioun nor probatioune. Item assoilyies him fra the breaking of Joⁿ Robertsones k^{mt} and steilling furthe therof the plaiding, gloves and twyne threid for the reassoune forsd. Item assoilyies the said Frances fra the steilling of David Dunbar his sark but thinkis that it is verye licklie that he haid stollin the said sark becaus it was takin away in tyme of the foirnoones preaching and nane was about that biging bot the said Francis quha haid ane comoune vse to abyid fra the kirk and convictis the said Francis for essaying to brak the buithes in maner conteint in the fourt article of the said dittay and convictis him of braking of Patrik Schand his buithe and outsteilling furthe therof of the guidis and geir mentionat and convictis him as ane comoun steiller of menis cornes and forder be vniversall voit convictis the said Francis as ane leud liver and

boy of ane evill lyiff and conversatioun and as ane daylie remainer fra the kirk in tyme of dyvyne worschip notwithstanding he was oft threitnit and reprovit for that effect, and lastlie convictis the said Francis as ane theiff and lier and thairfoir the saidis assysoris remittit the forme of punischement of the said Francis to the Judges fords.

"Eftir the qlk delyuerance and consideratioun therof be the judges fords the saidis Judges ordanit the said Francis to be presentlie tackin and cariet to the Gallowehill of this burghe and hangit on the gallows therof to the deathe wherof William Wat dempster of the said assyis gawe doome and wherof the said John Howye pro^r fischall askit instrument. George Baird, prouest. A. Douglas, bailie. A. Baird ballie. J. Wynchester, cls.

September 26.—[In electing the Town Council the old Council chose three burgesses who had not been members of the former Council as new Councillors. Seventeen in all elected. The Provost, bailies, and treasurer were all elected for one year.]

October 17.—"The whilk day ane discreit honest young man Daud Ewin eldest lafull sone to William Ewin indueller within this burghe was be vniversall consent and advyiss of the provest, bailies, and counsell of the said burghe resaut and admittit frieman and burges of this burghe wha gawe his aithe judicillie wpone the articles observit in sic caces and obligit him to mak his actuall residence within the said burghe in tyme coming wnder the pain of fourtie pundis mo^e, as also obligit him to by and haiff ane sufficient halbert in his hous for defence and persuit of onye of the tounes affairis befoir Witsonday nixt to cum, wnder the pain of ten pundis mo^e, wheron the said Daud askit instrument. Compositio 20 lib.

October 17.—"[Complaint against the evil and dear drink and bread. Assisors fix the price of ale at 12d., the pint beer at 16d., four cakes out of the peck of meal and 4s. the cake, eight oat loaves out of the peck of meal and 12d. each or sixteen out of the peck of meal and 6d. each.

"Complaint by the owners of ships and barks and by the possessor of the ferryboat that] be the lossing of milstanes, walstanes or ballast of great stanes within the flood mark of the schoir thair boitis and barkis are continuallie in perrell and hasert of hurting and breaking. [Act passed against this practice with penalty of ten merks for transgressors.

December 20.—Justice of Peace Court held by the Provost, bailies, and Justices of Peace within the burgh.

Prices of shoes, boots, and leather, and fees of servants, tailors, websters, cordiners, &c. modified.

James Turnor and Patrick Charles elected Constables.]

"Price of hide of drawin ox £4.

"The price of singil soillit schoes for ilk inche within the waittis therof 12d.

"The price of the pair of doubill soillit schoes for ilk inche of the soill 18d. and ordanis ane irne gadge to be maid and stampit on baitlie the endis and given to the constables.

"*Tailyeouris*.—The haill judges ordanis the pryce of tailyeouris wark within the awner of the hous his wark to be for the maister daylie 2s. and for his man being past ane yeir of his prentieschip daylie 16d. with thair meit.

"*Wobsteris*.—The pryce of wyving of ilk elne of courtein plaiding 4d. with ane peck of meill to the scoir.

"The wyving of ilk elne of lining or hardin of a lyik breid 4d. with ane peck of meill to the scoir.

"The wyving of ilk elne of fywe quarter braid raw grayes 6d. with ane peck of meill to the scoir.

"The wyving of the elne of sex quarter braid seyes 8d. with twa peckis of meill to the scoir.

"The wyving of ilk elne of quheiling plaidis 8d. with twa peckis of meill to the bountay. The wyving of ane hewit fingring plaid 20s. with ane firlet meill to the bountay. The wyving of ilk elne of gray plaidis 16d. with ane peck of meill to the plaid. The wyving of ilk elne of secking 6d. with ane peck meill to the scoir. Lyikas the saidis judges ordanis that na wobster sall mak onye clothe to him selff within his awin house to be sold bot sic as suld onlie serve him selff his wyiff bairnes and servandis and na wobster sall giwe his yairne to ane wther wobster to be wowin or sold wnder the pain of confiscatioune of the clothe or yairne and fyve pundis *toties quoties* nather yit sall len yairne or caus wywe ther wob in ane wther manis home wnder the pain off fyve pundis moe to be incurrit and payit bothe be the ane pairtie and be the wther.

"It is statut that giff onye persone bark onye ledder to be sold that the awner thairof mak publict offer thairof to the inhabitantis of this burgh at sic ane competent pryce as the awner may easilie sell the samen and giff he sell it to onye persone without the burgh at ane

cheapper rait nor he makis offer for to the burghe the said ledder sall be confiscat to the wse of the burghe.

"*Flescheouris*.—The judges ordanis that the haill flescheouris slayeris of nolt or scheip within or without this burghe repairing to the marcat place thairoff bring the carcathis of thair beiffis and muttounes haill to the marcat place w^t the skinnis and talloune and without deficiencie of onye pairt thairoff wnder the pain of confiscatioun. Muttoune blowin or onye pairt of the craig or schoulder cuttit frome the bodye to be confiscat. The flescheouris to mak offer of the nolt and scheip skinnes to be brocht with them to be sold to the inhabitantis of this burghe first and lyckwayes the talloune."

[Rest blank.]

1638.

January 23.—"[John Brig convicted of wounding David Dunbar in the right hand with a durk and David Dunbar convicted of striking his master twice on the cheek with his right hand.] The bailye ordanit the said Dauid to be tackin be the officeris on Candilmes Day and in tyme of publict marcat knut and bund to the trie at the Kirk styll and his said left hand bund wp abowe his heid and the caus of his punischment wreittin on great lettres on paper and affixit aboue his heid and ther to stand be the space of half ane houre. [His master John Brig became caution for presenting the said David on Candlemas Day.

February 6.—"John Brig decerned to pay £10 for not presenting David Dunbar.

October 16.—"Andrew Baird, baillie, elected Commissioner for this burgh for keeping of the General Assembly to be held at Glasgow 21st November next. The Council] ordanis the said Androw to have the soume of 100 pundis mo^e for defraying of his expenses and charges betuix and the said burghe of Glasgow.

November 13.—"[Complaint given in by the merchants and inhabitants that they sustain great hinder and prejudice by those who bring in] onye sort of Scotis guidis to be sauld within the burghe sic as woll, talloune, butter, cheis, and suche lyik guidis quha sellis the samen at onye sort of wecht they pleis wheras they suld haif tuentie pund wecht for ilk sexteane pund wecht of the guidis.

November 13.—“ It being considerit how the Mid Peathe of the said burgh is abusit and defylit with muck and middingis to the great prejudice of the inhabitantis be the evilnes of the way and dishonour of the burghe thairfoir the judges ordanit the officeris to charge the hail inhabitantis on baith the syidis of the said peathe to red and remowe thair haill guiding and muck clein out of the peathe and forder to hald and keip the samen clein in all tyme coming under the pain of 20s.

December 4.—“ Anent the comoune regrait maid be the hail inhabitantis of this burghe that the tounes people and cuntrey people sustenis great wrong be the cuparis making of all sort of measures sic as firlois, peckis, coggis, stouppis and wtheris veschellis of trie off dyvers and sindrie quanteteis altogidder disconform to the trew and just measures. [No measures to be allowed henceforth till sanctioned and sealed by the Baillie.

December 28.—“ Allan Brig having struck George Mar with a quhinger in the arm to the effusion of blood he is unlauid of £50 and required to pay 40 merks to George Mar.”

1639.

July 24.—“ George Crawford in Seatown struck John Brig on the arm with a quhinger to the effusion of blood while they were wrestling and is decerned to pay ten merks.

“ Andrew Baird elected Commissioner both for the General Assembly and the Parliament to be held in Edinburgh in August, 1639. His expenses ‘ furth and hame ’ modified to £80].

December 3.—“ Complaint given in by the proct fiscall that notwithstanding of the Lordis good blessing presentlie wpone the fruitis of the earthe and that the samen is in sic abundance praysit be the Lord that guid drink, beir, and aeill and sufficient quheyt bread and aeit bread may be baiken, browin, and sauld sufficientlie at the present raitis and pryces [yet the drink and bread sold is not worth the present prices. Transgressors to be punished and poynded for 40s.

“ Complaint by the procurator fiscal against] the idle people and codroches within the toune without service and leivand unlegallie.

December 10.—“ Unfrie brousteris to pay four pundis *toties quoties*.

“ It is ordanit that na frieman recept nor mantein onye manis servand eftir sex houres at nicht wnder the pain of thrie pundis.

December 17.—“Complaint given in by Androw Cullen against Androw Cullen his son for his insolence and lewd carriage in his life and conversation by secret and fraudfull away tacking of his fatheris guidis and geir and secret away putting of the same for money or drink and wherby in his drunkenness he becomes beastly and sensual. The judges ordain that na man nor woman within this burgh sell onye sort of drink to the said Androw Cullen, younger, for money nor wther penneworthis directlie nor indirectlie be day nor nicht nother resawe him within thair houses to give him onye drink under the pain of thrie pundis.”

Burgh Payments—1637-1639.

“For ane irne gadge for schois, 4s.

“To Andrew Baird as Commissioner in Jan., 1638, £70.

“To do. for keeping of the Assemblie at Glasgow in Nov., 1638, £66 13s. 4d.

“To do. as Commissioner to the Parliament in May, 1639, £66 13s. 4d. For clothes to the Commissioner to the Assemblie in July, 1639, £51 6s. Item to the Commissioner for keeping of the Assemblie and Parliament in August, 1639, £160.

“To Willie Wat, executioner, £13 6s. 8d.

“To the post fra the borrowes, 24s.

“For candle to the watches, 20s. For ane lanterne and candle to the drummer, 21s.

“For biging of the tolbuthe stair, £11 16s.”

1640.

January 7.—“Gilbert Mair, decernit to pay thrie pundis for selling of meit and drink to Androw Cullen, younger, and Androw Cullen, elder, his father, was decernit in the lyik wnlaw for transgressing of the act maid aganis Androw Cullen y^r in keeping companye with the said Androw his sone in John Guidbrand his house till he was drunk.”

Notes on cover of Court Book in handwriting of James Winchester, Town Clerk :—

“Upon the xxvi day of July 1633 being Fryday in the morning James Maister of Ogilvye, eldest laifull sone to James, M^r of Ogilvye

was borne in the place of Banff and was baptized within the Kirk thereof upon the sixth day of August following.

"6 Octobris 1633 being Sunday and bark pertaining to Magnus Ferne, and Wastlandman perischit in the roid of Banff wherein was meikill merchand geir.

"4 Jan. 1638. Mr. Wm. Sharp, Shereff Clerk of Banff, depairtit this lyiff and was buried in the Kirk of Banff upon the 6 of Jan^r 1638.

"15 Jan. 1638. Margaret Kennedye, spous to Thomas Scherund, depairtit this lyif and was buried under her awin desk in the Kirk."

July 8.—" [The procurator-fiscal complains against Margaret Dunbar adulterix concerning her lewd life and scandalous carriage] and anent hir braking and transgressioun of divers actis of the Kirk-Sessioun of the said burgh. [She voluntarily agrees to banish herself from the burgh and parish in all time coming under pain of death] and if schoe transgres and doe in the contrair schoe is content of her awin consent to be apprehendit and drowned.

September 2.—[John and Allan Brig, skippers, accused of disobeying the commands of the provost, who ordered them neither to traffic nor travel with their barks through the sea 'to na pairt nor harberie whatsumevir,' the Provost having warrant for that effect from the estates of the kingdom. The said John and Allan submit to the Court.

October 3.—The fruits of the earth are in great abundance, praised be God.

November 20.—James Barclay being warded within the tolbooth of this burgh till he should find sufficient caution that he should obtemper and obey the ministers and elders of the parish of Innerboyndie for his fornication betwixt the said James and Isobel Haccat sometime in Quhyntie, Gavin Thomson becomes cautioner for him.

November 20.—Andrew Cullen y^r being imprisoned for contravening an act made against him that he should neither drink in private nor public outwith his father's house, John Gordon becomes cautioner for him.

November 24.—The procurator fiscal complains of dear and bad ale, bear and bread. An assise fix the price of ale at 12d. the pint, beer 16d., the quarter of cakes 6d., and the oat loaf at 12d.]

December 25.—"Katharen Robertstone, wagabound, being wardit within the tolbuith, comperit David Ewin and band and obleist him that als oft

as the said Katharen be fund within the parochin and burghe he pay to the thesaurer the soume of ten pundis. The said Katheren band and obleist hir that als oft shoe should be fundin within the boundis shoe shalbe presentlie takin and brocht to the croce of Banff and thair should be brunt wpon the face, striped naiked aboue the west, and scurged furth of the boundis."

1641.

February 9.—"Thomas Mylne at the Mylne of Mailros wairdit as ane forstaller.

March 5.—[Compeared John Ogilvie, sometime of Raggall, father to Magdalen Ogilvie, now dwelling within the city of London, with some others of her kinsmen and friends, desiring of the Provost and Bailies a testimony of her birth and parentage. John Ogilvie and Beatrix Duncansone, her father and mother, lived in Raggall. An official testimony is granted, beginning thus:—"Universis et singulis cujuscunque status seu dignitatis," &c.]

August 10.—"Margaret Crichtoune wes decernit to pay Paull Gregor 26s. 8d. with twa pair of new schooes with ane casting doublet and that becaus shoe haid fied hir self first with the said Paull and nixt with George Mar."

September 28.—[Act passed that none be admitted as burgesses on payment of less than 40 merks unless they are son of a burgess or married with a burgess's daughter or born within the burgh.]

Burgh Payments—1639-1641.

"To the guidwyiff of the Castell, £3 12s. To the guidwyiff of the Castell for the superplus of Marshall's feast, £6.

"To the executioner, 13s. For his winding sheit, 20s. For making of the executioneris grave, 4s. To the executioner for ane pair of shoes, 22s.; do., 24s.; do., 20s. For ane staff to the executioner, 7s. For thrie quarteris of grayes to him, 15s.; to him of silver, 5s.; to do., 24s.; to do., 20s.; to do., 6s.; to do., 6s.; to the executioner twa elnes of grayes, 40s.

"To the drumer halff ane pund candell, 3s. 4d.; for heidis to the drum, 36s.; for heiding the drum, 12s. To John Straquhane drumer for ane

pair of shoes, 13s. 4d. To ane post to go to Elgin, 16s. ; to ane post fra the borrowes, 24s. To ane post to go to Aberdeen, 27s.

"To four faddome of towes to the tolbuith bell, 8s.

"To Patrik Weynes for ane denner to the dreillers, £3 12s. 8d. For ane denner to the dreillers, 32s.

"To the baxter for Androw Cullen his intertayment in the tolbuith, 14s.

"To the Provost for goeing to the Assemblie at Aberdeen, £40. To the provost for ane pairt of his expenses in going south as Comissioner, £81. To do., 100 merks.

"For contributioun for Livetennent Collonell Barclayes south goeing, 27s.

"To the smyth for ane spoit to the lock of the theiffis hoill, 4s.

"To John Howye for ane pair of plaidis put away be ane of Monro his sojors, £4."

1642.

January 25.—[John Laing in Lossat of Rothiemay, William Moir in Knokorth, Thomas Broune in Tilliedoune, fined for forestalling, 40 merks, £20, and £4 respectively.]

February 1.—"It is ordanit be the magistratis with adwyis of the counsell of this burghe that na inhabitant within this burghe of whatsumevir rank, qualitie, or degrie, recept, ludge, harbarie, manteine or interteyne na strong or forran begger not bred nor borne within the parochin or burghe under the paine of ten s. for the first recepting, 20s. for the secund, and swa furth by doubling for thair faultis. And in cace any strong beggeris of the sortis forsaidis cum within the toune and truble any inhabitant and the inhabitant complein than the officeris sall presentlie tak the beggeris and put them in the theiffis hoill till the magistratis get convenient tyme to caus scourge them in most rigorous maner bot any peitie.

April 27.—"It is statut that na wnfrieman sall hawe any sort of beast within this burghe for pasturing wpon the commontie and that na frieman not hawing labouring sall hawe na guidis in the toune to pastur wpon the commountie wnless he pay 6s. 8d. for ilk heid wnder the paine of tuentie pundis moe.

April 27.—“Patrik Shand, James Turnor, Wm. Hay, and Walter Sheroune tuik in tak fra the provest bailyies and counsell all the commountie of the burghe fra the Drouping Craig to the Burne Mouth of Innerboyndie reservand mens awin proper landis within the samen comountie with all that goes fra the toune beneth the way to the kirk of Innerboyndie with the conditionis that it sall not be leisum to them to cast and away carrie fail nor diffetis af of the samen and that for the space of thrie yeiris for tuentie pundis mo^e yeirlic.

April 28.—“Hendrie Duncane became cautioner that Cristane Wallace sall remove furth of this burghe dureing the dayes of hir lyfytyme and also that shoe sall not speak any evill wordis ather befor the faces or behind thair baks in all tyme cumyng of the men or women within the burghe of Banff of whatsumevir qualitie, rank, or degrie.

June 14.—“[Beatrix McAllane petitions the Council to come to the town and dwell, and Gilbert Mair becomes cautioner for her] that schoe should not be chairgeable to the toune anent hir maintinance and leiving.

June 21.—“[George Stewart becomes cautioner for Andrew Cullen, younger, for his good conduct towards his father, and that the said Andrew shall not drink, &c.

June 22.—“The procurator fiscal complains] that the malt and meill is at ane great dearth and hopes God willing it sall not continew long so. [An assise fix the price of ale at 16d. the pint of beer at 20d. and the quarter of cake of oatmeal 6d. four cakes being baken out of the peck.

June 24.—“Alex. Douglas, provost, Commissioner to the Assembly at St. Andrews on 12th July, 1642. The Council] hes modiefiet his expenses daylie dureing his attending furth and home to 46s. 8d. The Counsell to meet within the tolbuith the 29 of Junij 1642 be ten a clock befor none for satteling anent the money for outriging of the Commissioner above writtin.

July 2.—“[The burgesses and freemen of the burgh having given in a complaint against Alexander Craig, burgess of Banff, for keeping] ane oppin buith and selling of waires within the toun of Fordyce being ane wnfrie pairt [he binds and obliges himself] that he should not directlie nor indirectlie be himself nor be na servand in his name in na tyme cuming keip any oppin buith within the said toun of Fordyce nor vent nor sell na kynd of wair thairin under the payne of ane hundreth poundis.

"The Provost, ballyies and counsell statutis and ordanis that na merchand nor frieman within this burgh shall in any tyme cuming transport nor carrie away furth of the said burgh any merchandice or merchand wair to any landwart pairt to be sold be them except it be to publict mercatis and fayres to be sold in publict mercatis vnder the payne of ane hundreth poundis *toties quoties*.

July 4.—" [Isobel Watson having committed fornication with James Ross, which she confessed before the Session, and having not been able to find sufficient caution] to satisfie obtemper and obey the kirk discipline thairfor the Sessiounne referrit her to the provest and bailyies thair decisoun quha ordanit the said Issobell to remaine in waird till shoe should find sufficient cautione for that effect and in respect shoe could have no cautioner shoe wndertuik present banishment and obleist hir selff never to be sein within the burghe or paroch wnder the paine of burning hir on the cheik and scurging hir, and the provest and bailyie ordanit the hand bell to goe throw the toune commanding na inhabitant within this burghe to recept nor manteine her nether be night nor day wnder the paine of fyve pundis mo^e *toties quoties*.

"At Banff the sext day of July, 1642, in presence of Alexander Wynchester ane of the bailyies of the burghe of Banff, comperit personallie George Desone cordonier in Banff and gave his aith that he dreidit George Mar measone bodielie harme and oppressioun wherfor the bailyie forsaid commandit the said George Mar to goe to ward and remaine thairin till he should find cautione actit in thir buiks that the said George Dasone salbe harmeles and skaithles of him and his complices and for his releiff furth of the said waird compeirit personallie Patrik Shand merchand burges of the said burghe and cautioner for and band and obleisit him his airis executoris and assignees as law souirtie and lawborrowes for the said George Mar that the said George Desone salbe harmeles and skaithles of the said George Mar and his complices and wtheris q^r he may stop or lot directlie or indirectlie wther wayes nor be ordor of law and justice wnder the paine of fourtie pundis mo^e to be peyit to the thesaurer of the said burghe in cace of failie as said is and the said George Mar band and obleisit him his airis executoris and assignees to frie, warrand, releive and skaithles keip the said Patrik Shand his said cautioner and his forsaid of the cautionarie aboue writtin of all that may follow heir on at all handis and in all tymes cumying and

thairon the saidis George Mar, Patrik Shand and the thesaurer forsaid ilk ane of them for thair awin pairtis askit and tuik instrumentis.

September 1.—[William Shand, burgess, accused of not dwelling within the burgh. He engages so to dwell under the penalty of 100 merks.]

September 14.—"The Dean of Guild reports his diligence at Summeruiftis fair* concerning the forestallers and those who should be taken captive at the burgh viz. Hendrie Murray in Keyth, William Weir in Elgin, William Thomson in Deskford [and 17 others]."

1643.

January 3.—[Absents from the Head Court : James, Earl of Airlie ; George, Lord of Banff ; Walter Ogilvie of Boyne ; Sir George Ogilvie of Carnowseis ; James Baird of Auchmedden ; Walter Ogilvie of Reidhythe, and 38 others, who are all fined 40s. each.]

February 21.—"The provest, ballyies, and counsell of the burgh of Banff eftir consideratione and vpon certane sufficient groundis moveing them have ordained and ordaines the haill burgesses and inhabitantis of the samen burgh to compeir one Monday next being the penult day of this instant vpone the Castell hill of the samen in thair full armes at nyne aclok befor noone vnder the payne of ffyve poundis moe for ilk persones absence.

April 4.—"[Complaint given in against Thomas Kynoch and 21 others] quho have neither peit stak nor kaill yeard bot live as is alledgit leudlie and levishlie vpone vther menis guidis. [They are all ordered to be warded till they find caution.]

May 23.—"Vpone ane greivance and complaint givin in be the Kirk Sessione against Beatrix Hendersone for her scandallous lyff and conversatione this long tyme bygane quhilk the saidis magistratis haveing takin to considderatione statutes and ordaines that immediatlie eftir Sunday nixt the said Beatrix shall be exyled and banished furth of

* Other forms met with in local records are : 1658, Sanct Ruffus fair ; 1676, Sanct Maruifis fair and St. Maruifis ; 1679, Simaraiifis day, Simmarifis day, Sumereifis day ; 1682, Sumaruifis ; 1687, 1718, Summerives fair ; 1683, Sumarivis fair ; 1683, 1685, 1714, Sumerivesday ; 1694, 1703, Samerives fair ; 1703, 1723, St. Ruffus fair ; 1709, Somerive's fair ; 1713, Simerives fair ; 1715, Semerive's fair ; 1725, Sumereivs ; 1731, 1740, Summereves fair. Of modern forms "Summereve's Fair" is far preferable to "Summer Eve's Fair." Gordon's "Chronicles of Keith," p. 1, has an interesting note on the point.

the friedome and libertie of this burgh and never to be found recept within the samen vnder the payne of scourging of her for the first tyme and if shoe shall be found thaireftir within the libertie of the said burgh to be takin and drouned but favor as also statutes and ordaines that q'soeur inhabitant within the said burgh shall harbour or recept the said Beatrix shall pay to the thesaurer of the said burgh the soume of fyve pounds *toties quoties*.

May 31.—“[The burgh officers are ordained to] convoy Beatrix Hendersone to the ferrieboat of the burghe and the said ferrieboat to transport her ouer the watter of Doverne.

June 7.—[Mr. Alexander Douglas, provost, Commissioner to the General Assembly, is allowed 46s. 8d. daily till his return.

No burgess to receive his burgess-ship hereafter under £40 at least.]

July 14.—“James Milne and Robert Alexander, sailleris, being wairded within the tolbuthe for ane certaine wrong done to the watch of the said burgh out of ane malicious and devilish intentione break the said waird and lap and eschaped furth thairoff and being of new agayne apprehended and incarcerat they are ordained to remayne in waird till the forder pleasure of the provest ballyies and counsell.

August 8.—[William Crysties decerned to pay 20s. for injury done to Gilbert Mair by pursuing him with a drawn sword.

October 6.—Forty-one persons absent from the Head Court this day including James, Earl of Airlie, George, Lord of Banff, Alex. Ogilvy of Knok, Robert Stewart of Ryland, Walter Ogilvy of Reidhyth, Brandan Baird of Northfield, James Stewart of Ordinges, &c. Each is fined 40s. for defect of suit and presence.

The small customs are set for 107 merks and the ferryboat for £90. They are ‘roupit at the maist patent window’ of the tolbooth.]

December 12.—“It is statut and ordanit that na burges nor inhabitant within the samen shall presume nor tak vpone hand directlie nor indirectlie in tyme cuming to tak in nor recept within the said burgh any landward wright, aixman, or eichman or timberman for working of any sort of timber work till first thay mak ane reall offer of the samen to any wright or vther timberman burges or inhabitant within the said burgh and that onder the payne of ten poundis provideing alwayes that the saidis wrightis shall serve the inhabitantis als readilie cheaplie and sufficientlie as any of the said landward craftsmen.”

1644.

January 31.—“The provest ballyies and counsell vpon certaine guid and sufficient reasones moveing them ordaines the haille burgesses and housholderis both friemen and vnfrie men vithin the samen to be in readines weill armed with swords and pikes or musketis within tuentie four hours nixt eftir thay shall be advertised be any official of the said burgh for going wher it shall please the saidis magistratis to command them and that vnder the payne of ten poundis mo^e ilk persone.

May 14.—[Mr. Alex. Douglas, provost, is elected Commissioner for the ensuing Parliament and Assembly, and allowed 46s. 8d. daily during his absence at said meetings.*

June 6.—Marjorie Mylne and four other women ‘for certaine obscene and filthie crymes’ are banished from the burgh.

July 23.—Gawin Lovye at the Gellie mill of Doun, when warded at the instance of William Lawtie of Myrehouse for certain debts, broke out of the tolbooth. Caution is found for him that he shall not break out again.

October 15.—William Wallace, burgess, deprived of his burgess-ship and fined £40 for his abuse of the provost and bailies and his insolence towards them. Robert Wallace becomes cautioner under the pain of £100 to relieve the said William out of ward and that the said William shall live peaceably and quietly.]

August 12.—“Alexander Mintie and William Joss shoemakeris for thair dinging stricking and blooding ilk ane of vtheris were vnlawed ilk ane of them ten poundis.

“James Strauchane fyned in tua merkis for dinging of James Baird.”

1645.

October 5.—“Patrik Mylne cautioner for presenting of James Mylne one Twysday next for wronging of James Wynchester and breaking of the tolbuith, vnder the payne of 300 merkis.”

* In this year Banff petitioned Parliament for redress of its losses, and in 1647 it was relieved from payment of the monthly maintenances and was allowed 10,000 merks in reparation of its losses, the fines of certain persons in the North being assigned for that purpose. In 1649 Parliament appointed a Commission on the losses the inhabitants had sustained at the hands of the enemy in 1648-49.

1646.

January 6.—“ [Walter Sheround becomes cautioner under the pain of £20 to present Alexander Oirsman before the magistrates and before the Kirk Session, for ‘breaking of the Sabbath-day,’ &c.

August 27. No entries since June 2.]—“ James Strachan and Androw Legget being varded within the tolbuthe to be put furth as souldiers in this present levie quhair hawing fallen both seik [two parties become cautioners to present them when called on].

November 24.—“ James Wynchester, notar publict, accused for haueing and keiping vp of the cocquet seal and cocquet register of the said burgh dew to the clerk of the burgh.” [He promises to deliver them up.]

1647.

April 20.—“ Margaret Talyeour spous to Walter Lovell was vnlawed in the soume of ten poundis for the cruell blooding and wounding of Marie Mowet and ordained to remayne in waird ay and quhill shoe should find cautione to present herself befor the Kirk Sessione of the burgh one Sonday nixt.

July 16.—“ Johne Brig, skipper, accused for recepting from the commone enemie of certaine shakellis of the long gaid of the said burgh ane thairoff being found in his possessione. He is decerned to plenish the Gaid sufficientlie with seaven sufficient shakellis.

September 28.—“ Walter Scheround, dean of gild, counsellor, and burges, is degraded from his saidis offices of dean of gild and counsellor for his bygane misdemeanour in vilipending the magistrates and neglecting their commands.”

1648.

October 9.—[A missive letter sent to the Provost, Bailies, and Council from the Committee of Estates stating that it was of great importance and might conduce to the settling of religion with a safe and well-grounded peace that a proper choice be made of able and well-affected persons, and that none be admitted who by the printed Acts were declared incapable. Compeared Mr. Alexander Douglas, Doctor of Medicine, with a letter from the Earl of Lawdaine, President, and

protests by virtue of a Commission from the Estates of Scotland that they in the election of their Magistrates and Council and Commissioner for the ensuing Parliament should not elect any man who hath given counsel by voicing in Parliament or otherways for the late unlawful Engagement or hath subscribed the band or sworn or subscribed any oath or declaration for prosecuting that Engagement, &c., and if such have been admitted that they be presently removed from office and a new election made. Gilbert Mair, provost, protested to the contrary, and that no magistrate or council shall do anything 'contrare, prejudiciall, or dissagreeable to the anchiant custome and libertie of the Royall borrowes of this Kingdom.'

October 31.—After taking the advice of the Agent, the Council elected Mr. Alex. Douglas as Provost in place of Gilbert Mair and Walter Forbes as one of the Bailies in place of Patrik Gordon.]

1649.

October 23.—"The Magistrates and Counsel ordain vpone certaine sufficient reasones and guid considerationes that no persone within this burgh nor liberties thairoff shall presume to buy privatelie any meill or malt that shall happin to come in to the samen be any landward persons to be sold bot in the oppin mercat place vnder the payne of the confiscatione of the meill and loosing of the freedome of ane burges and punisheing of thair persone and fyneing of ane vnfrieman.

October 23.—"The haill quhyt fischeris within the liberties of the burgh were ordained befor thay should any day sell any quhyt fishes to draw vp thair boates to ane full sea immediatlie eftir thair incoming from sea and that vnder the payne of 6s. 8d.

"Counselleris: John Vrquhart of Tilliboe, William Stewart, John Gordoun, Gilbert Mair, elder, Alex. Wynchester, Walter Scheround, Patrik Stewart, Patrik Charles, Patrik Syme, William Deucheris, John Ogilvye, William Mintie, and Johne Guidbrand."

The Plundering of the Palace of Banff.

"About this tyme [10th August, 1640] Monro marches for Banfe. The reason of his going ther was to tacke cowrse with Sir George Ogilvye (at that tyme called laird of Banfe, though shortly afterwards created Lord by the King). Banfe had been active against the Covenanters anno 1639; and all this yeare, 1640, had made his residence at cowrt with the

king, as some other northerne gentlemen and noblemen did, such as the Lord Ogilvy, Walter Urquhward of Cromby, William Seaton of Shythinn, Sir Gilbert Menezes of Pittfodells, etcet.

"The cittyzens of Banfe, for the most part, wer Covenanters; and albeit in former tymes they depended much upon Banfes familye, who dwelt ordinarlye in ther towne, yet now they wer so farr estranged from him, that they wer growne his enemyes. The cheif ringleader and agent amongst them for the Covenant was one Dr. Alexander Douglass, a mediciner, who was gott into such credite with his townesmen and with the Covenanters, that in the following yeares he came to be provost of Banfe oftner then any man ther; as also high sheriff of the shyre of Banfe, and alwayes either a member of Parliaments and Comittyes of State, bearing great sway in thes places for severall yeares afterward: which preferments (being a witty man) he improved much to the enriching of himselfe, and, for the most part, (considering the tymes), to the good lycking of all the shyre, except some particular enemyes, who either envyd his rysing or mislycked his wayes, which wer ambiguously spokne of: or because ther was hatred tuixt him and them for ill offices done to them, and extortiones under colour of justice. This man was thought a maine instrument in bringing Monroe to Banfe, who no sooner came thither, but he sett downe his qwarter in the laird of Banfe his beautifull garden, which was a great ornament to the towne of Banfe, and, being gallantly planted and walled, overshadowd and enclosed the east syde of that towne. The souldiours wer no sooner sett downe there but they fell to macke havocke of all the fruit trees and other trees which grew there in great abundance; leaving not so much as one standing tree, younge nor old, and cutting upp all the hedges to the rootes; in which deformed condition it is yet to be seen as they left it. Adjacent to that garden, in the very heart of that towne, stood Banfes pallace, high built and quarterly; the structure magnificent, with two base courts; and few houses in thes places of Scotland comparable to it. Upon it the souldiours fell next, and, in few days, defaced it; leaving neither any covering, glasse, timber, nor iron worke ther; breacking downe the hewed worke, doors, windows, and knocking out the iron barrs of the windows; leaving nothing to be seen but defaced walls, which yet speacke its beautye, as it now standes, lycke ane old ruinouse abbey. In this industriouse defacing of so brave a pallace, the souldiours wer helped by the rascalitie of the cittyzens and countrey people neerest adjacent, who either bought, stole, or embeasled the materials therof. . . . For to sett upp this losse, King Charles, in *anno* 1640, gave to Sir George Ogilvy of Banfe ten thousand merkes Scottish in gold which Banfe brought home with him; yet too little for to repaire his losses: but the King could not do better to him at that tyme. And not only was the pallace defaced but lyckewayes much household stuff and spare furniture, which had belonged to Banfe his predecessors, was seised upon and embezled, together with a considerable librarye of bookes which wer ther. . . . The reason why his pallace of Banfe was defaced seems to have been the jealousy of the cittyzens of Banfe, who supposed that sometyme it might be made use of as a cittadel to overawe ther citty: yet . . . that could not be the true reasone; for it was built for beauty, not for strenth. . . . All the wonder heer is, that, using Banfes house so ill, they should have spared the earle of Airlyes lodging, which is distant and separate from Banfes house only by the lenthe of the formentioned garden." (Gordon's "*Hist. of Scots Affairs.*") The foregoing narrative—by the Parson of Rothiemay—seems the most reliable. See also Spalding's "*Troubles*," I. 250, and Balfour's "*Annals of Scotland*," II. 382.

1650-1750.

SHARP SENTENCES—MACPHERSON THE FREEBOOTER—THE REBELLION OF 1715—CATTLE
STEALING IN THE HIGHLANDS—THE MAGISTRATES AND THE PRESS—THE REBELLION
OF 1745-1746—EXTRACTS FROM THE BURGH COURT BOOK, 1650-1748—EXTRACTS
FROM MINUTES OF TOWN COUNCIL, 1674-1749.

1650-1750.

SHARP SENTENCES.

FEW, if any, periods in the history of the burgh can be named when the stern majesty of the law asserted itself so rigorously as towards the close of the seventeenth century. "The ill years of King William" no doubt had their attendant evils, and the administrators of the law in these parts were not conspicuous, to say the least, for exceptional clemency. A few extracts from the Accounts of the burgh will illustrate the state of matters:—

1693.—*The Executioner whipped. His death.* "Paid to our executioner at severall tymes 3 firloths meill, £2 12s. His chist, his winding sheet, naills to it and making of it, with ale to his likewake and to the officers for convoying the coffen, £5 16s. Given the hangmens [*sic*] befor that he wes whipped, 8s. Payed to Duncan Mikdonald at his ontaking, 6s. Given him for whipping Alester his predicessor and Donald Ross, 12s. Item for that vse fyve fathomes of towes, 5s. Given him of seillarie from the 17th of August to the 30th of Sept., £3 12s.

1694, June.—"Paid for ane fathom towes to the hangman, 1s. 6d. August 10th. Paid for ane fathome towes for whipeing Christan Peirie, 2s. 6d.

1695.—*A Woman Hanged.* "'James Clark, thesaurer, pay William Reid, John Mair, William Antone, and John Sinclar twenty four shilling Scots for atending the execution of Margaret M'Keane. Given at Banff this teinth of Nov., 1695. Alex. Wallace, Balive.' 'James Clark, thesaurer, pay James Baxter and James Milne twelve shilling Scots for making of Margaret M'Eaten's grave. Given at Bamff the 13th Nov., '95. Alex. Wallace, Balive.' Oct. 25.—Spent with the minister of Dyk

and given to the officers that day Janet M'Kain was execut, £1 16s. Paid £1 3s. 4d. for three pound and a half of candle to the gairding the woman that was hanged. Paid 8s. for 4 fathome towes and 2s. for small towes to hang hir. Paid for ane fir tree to help the gallowes ledder 10s., ane back to be steps to the gallowes, 6s. Sex dozen double and two dozen single naills for helping the ledder and gallowes, 2s.

1697*.—*Loaves and Ale before being Hanged.* "Paid to Browne, common servant, 16 weeks wages at 12s. weekly, £9 12s. For shoes to him, 15s. For shoes to Muirieson his successor, 13s. 4d. 26 weeks wages to Muirieson, £15 12s. To Tayleor that was hanged 3 loves and a chapin aill 6s., ane fathome of rope for scourging him 1s., for setting up the cock stoole for nailling his lug 6s.

Execution of Prott. "Paid for seven dayes meatt to Prott £1 8s., for candle to gaird the said Prott 2s. 6d., for small rops to Prott 6s., to the officers at his executione 16s., for making his grawe and drink therto £1, to the comone officers at his executione £1 4s., to James Allen and others for mending and naills to the gallows 18s.

1699.—*Erecting the Gibbet.* "Account ordered to be paid 25th Aug. : 'To the wrights for mending of the gibet and making of a new leather [ladder] and some great nails for the leather is in all one pound ten shilling Scots money ; for a double tree and halfe hunder double nails, one pound ten shill. Summa, 3 libs.'

"Payed for rops at Doull's (?) execution to the comon servant two fathom rops, 4s. ; for small whipping cords to the comon servant, 2s.†

1704.—"Paid 2s. 6d. for 1½ fathom towes for scourging Margaret Cromar.

1725.—*Appointment of Hangman.* "Robert Young, presiner here, wagabound and kaird voluntarie engages himself to serve as comon servant and hangeman in this burgh in all the pairts and services belonging to that office, and faithfullie ingaiged himself to discharg the

* "Given to John Ord and James Tawes for goeing to Banff for the marshall to execute — Forbes, £1. Given to ane bearer for goeing for the parson of Fordyse to pray for F., 3s."—*Annals of Cullen.*

† 1699.—"George Cobban, common executioner of the burgh of Cullen, arraigned for stealing a wedder and for being generally airt and pairt of several other complicate crimes. The charge found not proven, but his being *malis famis* was sufficiently proved. He is accordingly decerned to be transported to the burgh of Banff and there scourged through the same by the hand of the common executioner, and immediately after banished the sheriffdom for ever, under the pain of immediate death, if he return."—*Annals of Cullen.*

samen dewlie, newer to disert the samen under the paine of death, and in testimonie wherof he subt. this present Act, because he cannot wreit, hes put hereto his two initiall letters, R. Y." [The duties of the office were to clean the public streets every week ; to debar all sorts of beggars, except cripples, blind, and objects of that kind, except those having charitable passes ; that he keep out dogs every Sabbath from entering the church ; and that he shall punish offenders as the magistrates and other judges shall direct ; and be present at all courts to which he shall be called.

1726.—*Banished for Suspicion of Theft.* James Shepherd accused of receipt of theft but denied. As the Magistrates could not make out clear proof against him they grant him his liberty on his signing a voluntary act of banishment never to return to the shire under pain of death.]

MACPHERSON THE FREEBOOTER.*

"James Macpherson was an illegitimate branch of the family of Invereshie, in Inverness-shire. His mother was a gipsy. He was reared at his father's house until the death of the latter, when he was taken under his mother's charge, and acquired the habits and pursuits of the race to which she belonged. He was remarkable not only for strength and beauty of person, but for the degree of talent which he displayed for certain mental accomplishments, for the cultivation of which his mode of life might seem to have afforded little opportunity. He seems to have been celebrated, during his lifetime, for his skill on the violin. It is said, too, that his conduct often afforded evidence of his being imbued with those feelings of generosity and pity which the fine arts are supposed to generate ; and it does not appear that any cruel or atrocious act was ever laid to his charge. After several escapes from justice, to which he had made himself obnoxious by his lawless habits, he was

*The following notes on the fate of Macpherson may seem more elaborate than the case demands, but one object in view in compiling them was to illustrate to how large an extent, even in events of comparatively recent occurrence, opinions generally held are, at least as regards details, the result of facts distorted, of imaginative details introduced for effect and for less excusable reasons, and of statements made contrary alike to probability and possibility. Another example will be given in connection with Archbishop Sharp (see "The Churchyard"), and anyone caring to pursue the subject further will find appropriate themes in "The Landing of Charles II. at Speymouth," &c.

eventually apprehended by the Laird of Braco and some of his followers at a Keith market.* (New Stat. Acct. of Banff, 1836.)

"As soon as Braco spied them [Macpherson and Brown] in the market, he desired his brother-in-law, Lesmurdy, to bring him a dozen of stout, able men, which he did; they all attackt the villains, who, having several of their accomplices with them, made a desperate resistance. One of them made a pass at Braco, intending to run him through the heart, but the durk slented alongst the outside of his ribs, without cutting the skin, and one of Braco's men stabbed the fellow dead. They carried Macpherson and Brown to a house in Keith, where Braco and Lesmurdy left them with a guard, not expecting any more opposition. But when they were in an upper room with two or three of their acquaintances concerting the committment of their prisoners, the Laird of Grant, with thirty armed men, came to the door calling for them, and swearing that no Duff in Scotland should keep them from him. Braco, hearing the noise of the Grants, came down stairs and said, with seeming unconcern and in good humour, that he intended to have sent them to prison. But he saw they were protected by too strong a party for him to contend with, and therefore must give them up; but without losing a moment he took a turn through the market, found other two Justices of the Peace, held a court, and assembled sixty able, bold men, who retook the criminals. They were sent to prison, carried to Edinburgh, and tried."† (Baird's "Genealogical Memoirs of the Duffs," written c. 1773.)

In his defence, Macpherson, says the Stat. Account, seeking to reach the gable of the church, and parrying the attack of his enemies all the way, fell over a grave-stone, when he was secured and lodged in the jail of Banff. He and his three associates, James Gordon and Peter and Donald Brown, were brought to trial before the Sheriff of Banff on 7th Nov., 1700. A jury was empanelled, and twenty-one witnesses were

* Mr. Alexander Smith, M.A., writer of the above, adds in a note: "Very little tradition of Macpherson remains in this the scene of his death. Several of the above particulars I owe to a notice in the New Monthly Magazine, Vol. I., and to a note in the Ettrick Shepherd's Edition of Burns." The extracts of the evidence which he gives are evidently taken from the original record of the trial.

† It is certain they were not carried to Edinburgh.

examined. The jury having found them guilty,* the Sheriff† pronounced the following sentence:—

"Forsameikle as you, James M'Phersone and James Gordon, pannals are found guilty, by ane verdict of ane assyse, to be knoun, holden, and repute, to be Egiptians and vagabonds, and oppressors of his Majesties free lieges, in ane bangstrie manner, and going up and doune the country armed, and keeping mercats in ane hostile manner, and that you are thieves, and recepters of thieves, and that you are of *pessimæ famæ*: Therefor the Shirreff-deput of Banff, and I, in his name, adjudges, and decernes you, the saids James M'Phersone and James Gordon‡ to be taken to the Cross of Banff, from the tolbuith therof, where you now lye, and ther§ upon ane gibbet to be erected, to be hanged by the neck to

* The official finding of the jury, with the signature of their Chancellor—James Gordon of Ardmellie—is now (1890) in a box of papers in the Adv. Libr., Aberdeen, that belonged to Dr. John Stuart. The record of the trial is printed in the "Miscellany of the Spalding Club," Vol. III., "from the original in the possession of the Club." It is now lost from the Sheriff Court records of the County of Banff, and it has been repeatedly asserted with much plausibility, but without certain proof, to have been sold with other papers by the representatives of Mr. Patrick Rose, Sheriff-Clerk, to an official of the Spalding Club. Mr. Imlach (Hist. of Banff) states that he had the whole of the trial, with the examination of the witnesses, copied from the town's records.

† Nicholas Dunbar of Castlefield, near Cullen, Sheriff-Depute of Banff, inflicted not a few death sentences in his time, as official loose papers among the Burgh Records of Cullen testify. In the year previous to Macpherson's trial he sentenced a man to be hanged on the Clune hill, Deskford, for stealing a cow; and the present writer, on examining the Gallow-hill there, found the stone supports of the gallows tree and the skull and other bones of a man a few inches below the ground in the immediate neighbourhood.

‡ "It appears that McPherson alone of the four was executed." (New Stat. Acct.) All recent writers repeat this statement, but the Town's Records contain the following entry: "Payed to the executioner for tows att executione of McPherson and Gordon £1."

§ There can be little doubt that it was at the Cross of Banff, as the sentence declares, and not on the Gallowhill, as modern writers assert, that Macpherson was hanged.

"It appears that McPherson . . . performed at the foot of the Gallows, on the Gallowhill of Banff, the 'Rant' and pibroch of his own composition. . . . At the time the Waverley Novels were issuing from the press I had McPherson's remains disinterred at the foot of the gallows-tree where he suffered, and a medical friend present said that the bones were those of a strong and powerful man." (Imlach's "History of Banff, 1868.")

"The execution took place on the Gallowhill." (New Stat. Acct.)

He was executed on the "Gallows-hill of Banff." ("Life and Works of Burns," by R. Chambers, II., 213.)

"Macpherson was led from the jail of Banff to the place of execution, passing up the Strait Path and Boyndie Street to the Gallowhill." ("Banff and Neighbourhood." 1879.)

These recent assertions cannot counterbalance the official sentence, especially if we consider how improbable it is that the authorities would run the risk of taking so daring a prisoner, and

the death, by the hand of the common executioner, upon Friday nixt, being the sixteenth day of November instant, being a publick weeklie mercat day, betwixt the houres of two and three in the afternoon,* and, in the meantyme, declairs their heall moveable goods and gear to be escheat, and inbrought to the Fiscall, for his majesties interest, and recommends this sentence to be seen put in executione by the magistrats of Banff.

"NICOLAS DUNBAR."

one whom it had cost them so much trouble and expense to secure, and guard, all the way to the Gallowhill, when they could have him executed so conveniently almost at their tolbooth door. Besides, for county offences the Cross, in presence of the public market, to which special reference is made in the sentence—then, of course, held there and not in the modern "Market Place"—was the regular place of punishment. In reference to the statement by Mr. Imlach as to McPherson's remains, it is amusing to find that some poor man or woman's skull had to do duty in the Museum and elsewhere for that of the noted Freebooter for so long, and it must be remembered that it would be no difficult matter to find human remains on the Gallowhill of Banff. In 1637 Francis Brown, "ane boy of ane evill lyiff," was hanged for theft. In 1695 Margaret McKean was hanged. In 1697 one Taylor and one Prott were hanged, and in 1699 a man of the name of Doull.

* The story goes (see N. Stat. Acct.) that McPherson performed at the foot of the gallows the "Rant" of his own composition, and then made offer of his violin to any one who would receive it as a remembrance of him. The gift being declined, he broke the violin and threw the fragments into the grave prepared for his body. A fine specimen of a two-handed sword, now in the possession of the Duke of Fife, has appeared at several Exhibitions of recent years as the veritable sword of Macpherson, but it is to be regretted that so little evidence thereof has ever been forthcoming. So far as known to the writer, it is only in comparatively recent years that the statement has begun to be made. By Macpherson's time more serviceable weapons were come into ordinary use than two-handed swords. The sword* is a formidable and rather unwieldy weapon, above 5 ft. in length, the blade being 3 ft. 3½ in. long. To many the "Rant" possesses an attraction as great as the sword.†

* The sword is figured in Chambers's "Domestic Annals of Scotland," III., 234, where the note is added: "It is 4 feet 3 inches long and having a wavy-edged blade. It is obviously a mediæval weapon; yet, of course, may have been used in a later age."

† "One very old man informs me [the writer of the New Stat. Acct.] of being told by his grandfather, who was one of the guards at McPherson's execution, that the verses commonly circulated as spoken by McPherson on that occasion were really those uttered by him. A few of them that were repeated by my informant corresponded most (if I rightly recollect) with the first set given by the Ettrick Shepherd." No one looking dispassionately at these verses will assert they were written by Macpherson. They were written, to all appearance, a few years after the event, when the details were somewhat forgotten, by some schoolmaster or some one who had imbibed a little learning. The general character of the composition, besides particular expressions, prove this. "Pale death" (pallida mors) was not in Macpherson's line; courage "singular" (this is the charming old adjective brought down from most ancient times to the present day, and introduced still in burgess tickets, few can explain how); while the references to Hector, &c., all tend to the same conclusion.

MACPHERSON'S RANT.*

I spent my time in rioting,
 Debauch'd my health and strength;
 I pillaged, plunder'd, murdered,
 But now alas! at length,
 I'm brought to punishment condign,
 Pale death draws near to me,
 The end I never did expect,
 To hang upon a tree.

To hang upon a tree! a tree!
 That curs'd unhappy death!
 Like to a wolf to worried be,
 And chocked in the breath.
 It makes my very heart to break,
 When this I think upon,
 Did not my courage singular,
 Bid pensive thoughts begone.

No man on earth that draweth breath,
 More courage had than I,
 I dar'd my foes unto the face,
 Knew not what 'twas to fly.
 A grandeur stout I did keep out,
 Like Hector, manfullie;
 Then wonder all that such a spark
 Should hang upon a tree.

The Egyptian band I did command,
 With greater sway by far,
 Than ever did a general
 His soldiers in the war.
 Being fear'd by all, and spar'd by all,
 I liv'd most joyfullie:
 But ay pox take this fate of mine,
 Must hang upon a tree.

No grief at all I will take up,
 If justice will take place,
 And bring my fellow plunderers
 Into this same disgrace.
 For Peter Brown, that nottour lown,
 Escap'd, and was made free;
 But ay pox take that fate of mine,
 Must hang upon a tree.

* The edition of Burns by Hogg and Motherwell gives "the earliest set of words we have seen under the title of Macpherson's Rant. They are taken from a Broadside probably printed in the same year that Macpherson suffered; and they may also, for ought that is known to the contrary, be the composition of that individual himself."

ANNALS OF BANFF.

All laws and justice buried are,
 Force, fraud and guile succeed,
 The guilty pass unpunished,
 If money interceed.
 The Laird of Grant, that Highland Saint,
 That mightie Majesty,
 Did plead the cause of Peter Brown,
 And let Macpherson dye.

The Destinies of my death contriv'd
 Men whom I did oblige,
 Rewarded me much ill for good,
 And left me no refuge;
 For Braco Duff, in rage enuff,
 At length laid hands on me,
 The which if death do not prevent,
 Revenged I shall be.

As for pale death I do not care,
 More courage ne'er had none;
 But yet Hell's torments I do fear
 When once my life is gone:
 Therefore, good people, all take heed,
 This warning take by me,
 According to the life you lead
 Rewarded ye shall be.

As for my death I'll not lament,
 Such things I do abhorre,
 To part with life I'm well content
 As any heretofore.
 Therefore my counsell to you all
 Is to repent and turn,
 Lest afterwards it may befall
 You in hell's fire to burn.

For neither death nor devil's power
 This rage of mine shall break,
 For in the place to which I go
 Some office I expect.
 I'll muster all the powers of hell,
 I'll cross the Stygian lake,
 Upon the heads of those my foes
 Sad vengeance I shall take.

Then be content and not relent,
 My silly soul until
 The time may come wherein thou may'st
 Perform thy latter will.
 In hopes whereof I poured forth
 This with a dying breath ;
 As joyfully as man could do
 Who hath in sight his death.

Then wantonly and rantingly
 I am resolved to die,
 And with undaunted courage I
 Shall mount the fatal tree.*

To the above version the editors append the following :—

“Of the above ballad and of the traditionary set preserved in Herd, our friend Mr. Buchan seems to be aware, for in a valuable communication to us† he says : ‘The two recited copies I have beside me are different from either : the one I shall now give as illustrative of Burns’ song is from the recitation of a very old person, and said to be the *real* composition of the unfortunate Macpherson himself when in jail, waiting the severe sentence of the law, and owes its preservation to the following cause :—A young woman of respectable parents, with whom he had lived during his unsettled life, had formed for him an inseparable attachment, so that in his dungeon she was known to love him. She learned her lover’s ‘Farewell,’ which she called ‘the remains of her Jamie,’ while in prison, and after having witnessed his final exit on an inglorious gallows, she returned to her wandering life, which she led ever after, and sung, wherever she went, the following song, as composed by Macpherson :—

‘I’ve spent my time in rioting,
 Debauch’d my health and strength,
 I squander’d fast as pillage came,
 And fell to shame at length.
 But dantonly and wantonly
 And rantonly I’ll gae,
 I’ll play a tune, and dance it roun’,
 Below the gallow-tree.

* In “*Scottish Ballads and Songs*,” Edinburgh, T. G. Stevenson (1859), is a version which corresponds very closely to the foregoing. It is said to be “taken from a broadside in the Library of the Editor,—supposed to be unique,—and which was printed evidently about the commencement of the last century.” The Editor quotes from the *Dumfriess Journal* an account of the capture of Macpherson, which is evidently taken from Baird. The extract has also the following concluding passage : “Macpherson was hanged but Brown was pardoned as to his life, and only banished, by Grant’s interest. Macpherson was the last person executed at Banff : he walked from the prison to the place of execution, about a mile, playing on the fiddle all the way ‘Macpherson’s Rant,’ a tune composed by himself for the occasion. . . . The sword, which is of immense size, and target taken from Macpherson, when apprehended at Keith, have remained in the family of Fife ever since. On digging a foundation for an alarm-post some years ago, on the Gallowhill, Macpherson’s bones were found. These were much above the ordinary size, and furnish evidence of his great strength, as well as his sword, which is six feet long, including handle 18 inches, and the breadth of the blade 2½ inches.” Chambers’s “*Domestic Annals*,” III., 233, has also an account of Macpherson.

† Mr. Buchan also sent a transcript of the trial which was published therewith. It was twelve years later till the careful transcript was published by the Spalding Club.

'To hang upon the gallows-tree
 Accurs'd, disgraceful death !
 Like a vile dog hung up to be,
 And stifled in my breath.
 But dantonly, &c.

'My father was a gentleman,
 Of fame and lineage high ;
 Oh ! mother, would you ne'er had born
 A wretch so doom'd to die.
 But dantonly, &c.

'The Laird o' Grant, with power aboon
 The royal majesty,
 He pled fu' well for Peter Brown,
 But let Macpherson die.
 But dantonly, &c.

'But Braco Duff, in rage enough,
 He first laid hands on me ;
 If death did not arrest my course,
 Avenged I should be.
 But dantonly, &c.

'But vengeance I did never wreak
 When power was in my hand,
 And gen my friends no vengeance seek,
 Obey my last command.
 But dantonly, &c.

'Forgive the man whose rage could seek
 Macpherson's worthless life,
 When I am gone, be it ne'er said
 My legacy was strife.
 Yet dantonly, &c.

'And ye that blame with cruel scorn
 The wand'ring gipsy's ways ;
 Oh ! think if homeless, houseless born,
 Ye could spend better days.
 But dantonly, &c.

'If all the wealth on land and sea
 Within my power was laid,
 I'd give it all this hour to be
 On the soldier's dying bed.
 Yet dantonly, &c.

'I've led a life o' meikle strife,
 Sweet peace ne'er smiled on me ;
 It grieves me sair that I maun gae
 An' nae avenged be.
 But dantonly and wantonly
 And rantonly I'll gae,
 I'll play a tune, and dance it roun',
 Below the gallows-tree.'

'The last four lines of another recited copy seem to be at variance with the above, for in them he is said to have had a wife and bairns ; but, if we take to account the unsettled ways of the gipsy tribe to which Macpherson belonged, and that they were allowed the same indulgence as the patriarchs of old—polygamy or a plurality of wives and concubines—the preceding will be, as a painter would say, quite in keeping.

'Farewell my comrades, ane an' a,
 Farewell my wife and bairns ;
 Some small repentance in my heart,
 The *fiddle's* in my arms.
 Sae wantonly, &c.

'The fiddle, which was then in his arms, and had been his solace in many a gloomy hour, was offered to several of the bystanders, but none having courage to accept of the proffered boon, he dashed it to pieces, that it might perish with himself, and so went singing into eternity. His body afterwards found a resting-place beneath the gallows-tree on which he paid the forfeit of his life.'

An old version of the song is given in Herd's Collection, 1776, and has been reproduced, with several alterations, however, in Whitelaw's Book of Scottish Song (Blackie & Son, Glasgow, 1845). The extent to which it differs from the version given above will be seen from the following :—

I've spent my time in rioting,
 Debauched my health and strength ;
 I've pillaged, plundered, murdered,
 But now, alas, at length,
 I'm brought to punishment direct ;
 Pale death draws near to me ;
 This end I never did project.
 To hang upon a tree.

.

As for my life, I do not care,
 If justice would take place,
 And bring my fellow-plunderers
 Unto this same disgrace.
 For PETER BROWN, that notour loon,
 Escap'd, and was made free ;
 O ! curse upon this fate of mine
 To hang upon a tree !

The last verse of Herd's version follows the verse commencing "The destiny of my life, contriv'd," and is as follows :—

As for my life it is but short,
 When I shall be no more,
 To part with life I am content
 As any heretofore.
 Therefore, good people all, take heed,
 This warning take by me,
 According to the lives you lead
 Rewarded you shall be.

The following is Burns' well-known song :—

MACPHERSON'S FAREWELL.—Tune, "M'Pherson's Rant."*

Farewell, ye dungeons dark and strong,
 The wretch's destinie !
 Macpherson's time will not be long
 On yonder gallows-tree.

CHORUS.

Sae rantingly, sae wantonly,
 Sae dauntingly gaed he ;
 He play'd a spring, and danc'd it round,
 Below the gallows-tree.

Oh, what is death but parting breath ?—
 On manie a bloody plain
 I've dar'd his face, and in this place
 I scorn him yet again !
 Sae rantingly, &c.

Untie these bands from off my hands,
 And bring to me my sword ;
 And there's no a man in all Scotland,
 But I'll brave him at a word.
 Sae rantingly, &c.

I've lived a life of sturt and strife ;
 I die by treacherie :
 It burns my heart I must depart
 And not avenged be.
 Sae rantingly, &c.

*Gow has published a variation of this fine tune as his own composition, which he calls "The Princess Augusta." (Note in the handwriting of Burns in an interleaved copy of Johnston's Musical Museum, belonging to Robert Riddell, Esq. of Glenriddell.)

Now farewell light, thou sunshine bright,
 And all beneath the sky !
 May coward shame distain his name
 The wretch that dare* not die !
 Sae rantingly, sae wantonly
 Sae dauntingly gaed he,
 He play'd a spring, and danc'd it round,
 Below the gallows-tree.

In the *Fortnightly Review* (1889) Mr. Edmund Gosse, in an article on Edward Fitzgerald, the writer of some pleasant verses, and well known in literary circles, quotes a letter of Fitzgerald of date 1844 : "One day we had Alfred Tennyson here ; an unforgettable day. He stayed with us till late ; forgot his stick : we dismissed him with 'Macpherson's Farewell.' Macpherson (see Burns) was a Highland robber ; he played that tune, of his own composition, on his way to the gallows ; asked 'If in all that crowd the Macpherson had any clansman ?' holding up the fiddle that he might bequeath it to someone. 'Any kinsman, any soul that wished him well ?' Nothing answered, nothing durst answer. He crushed the fiddle under his foot and sprang off. The tune is rough as hemp, but strong as a lion. I never hear it without something of emotion—poor Macpherson ; though the artist hates to play it. Alfred's dark face grew darker, and I saw his lip quivering."

In the Ettrick Shepherd's edition of Burns' Works (1834) it is stated that "it is very probable that Burns learnt both the air and the tradition connected with it in his tour through the Highlands, or it may be, that while composing what Lockhart has fitly described as a 'grand lyric' he had the version of the old words which are given by David Herd, in his very interesting collection of Scottish ballads and songs. Burns first published this song in the second volume of Johnson's Scots Musical Museum, which appeared in March, 1788 [six months after his Highland tour], accompanied with this note : 'Macpherson, a daring robber in the beginning of this century, was condemned to be hanged at the Assizes at Inverness. He is said, when under sentence of death, to have composed this tune, which he called his own Lament or Farewell.' Sir Walter Scott has said that 'this noted freebooter was executed at Inverness,' and Cromek has echoed the same error. It is curious to see how, in an historical event of comparative recency, so much error should prevail. . . . The fact is, that Macpherson was executed at Banff, early on Friday morning, November 16th, in the year 1700, several hours before the time specified in the sentence for his execution. It is said that his execution was hurried on by the Magistrates, and that they also caused the messenger intrusted with a reprieve for this notorious criminal to be stopped by the way, in consequence of which acts of injustice, it is alleged, the town of Banff was deprived of the power of trying and executing malefactors."

The Ettrick Shepherd's note exemplifies further "how curious it is to see so much error should prevail." There is no evidence whatever (1) that the execution was hastened, (2) that a reprieve was obtained—a most unlikely thing in the circumstances, or (3) that the burgh of Banff was then deprived of the power of trying and executing malefactors. It is even said that the execution was hastened as the bearer of the reprieve was seen from the Gallow Hill on the Bridge of Banff ; but (1) the execution did not take place on the Gallow Hill, and (2) the Bridge of Banff was not built for many years subsequent to the execution of Macpherson.

No article in the creed of a bygone generation was more unchallengeable than that the postman, on approaching Banff, seeing from Gavenie Brae the crowd assembled for the

* The word is "dare" in the original MS., not "dares," as in all the printed copies.

execution of M'Pherson, and knowing full well of the reprieve he carried in his bag, sounded his horn so lustily that he burst his horn, but the Magistrates, in their villany, had put forward the town's clock, and before the reprieve arrived poor M'Pherson's days were numbered !

On several occasions subsequent to Macpherson's time we find the Town Council appointing a public executioner for the burgh. Even in 1730 (see T.C. Minutes) William Cruickshank, the burgh executioner, went to Aberdeen, by order of the Banff Town Council, to execute a criminal there.

"Macpherson's Lament," says Sir Walter Scott, "was a well-known song many years before the Ayrshire Bard wrote those additional verses which constitute its principal merit. This noted freebooter was executed at Inverness about the beginning of the last century. When he came to the fatal tree he played the tune, to which he has bequeathed his name, upon a favourite violin, and, holding up the instrument, offered it to any one of his clan who would undertake to play the tune over his body at his lyke-wake ; as none answered, he dashed it to pieces on the executioner's head, and flung himself from the ladder." (Whitelaw's Scottish Song.)

William Stenhouse, in a note to Macpherson's "Farewell," after reciting the story of Macpherson playing the violin at his execution, says : "This story appears to be partly probable and partly false. That this depraved and incorrigible robber might compose the tune even while lying under the awful sentence of death may possibly be true ; but that he played it while standing on the ladder with the halter about his neck I do not believe, because every criminal before he is conducted to the place of execution has his arms closely pinioned, in which situation it is physically impossible for him to play on a violin or any such instrument." (Illustrations of the Lyric Poetry of Scotland, by Wm. Stenhouse. Blackwood & Sons. 1853.)

Hogg and Motherwell's edition of Burns, II., 189 (1834), contains the following :—

"It will be seen how unjustly Macpherson was used in comparison with the Browns. He was executed eight days after his sentence, and they lay upwards of a year in prison, and afterwards made their escape from jail. Macpherson was not one of the gang with whom he was apprehended and tried. He was merely found in their company in pursuit of a *gipsy wench* of whom he was very fond.

"This tedious though interesting notice of Macpherson—interesting because it illustrates the manners and the state of the country at the time he lived in—we shall now conclude by giving the account we have of him in the *New Monthly Magazine*, by a person signing himself 'B. G.' :—'James Macpherson was born of a beautiful gipsy, who at a great wedding attracted the notice of a half-intoxicated Highland gentleman. He acknowledged the child, and had him reared in his house, until he lost his life in bravely pursuing a hostile clan to recover a spreach of cattle taken from Badenoch. The gipsy woman, hearing of this disaster, in her rambles the following summer, came and took away her boy ; but she often returned with him to wait upon his relations and clansmen, who never failed to clothe him well, besides giving money to his mother. He grew up to beauty, strength, and stature rarely equalled. His sword is still preserved at Duff House, a residence of the Earl of Fife, and few men of our day could carry, far less wield it as a weapon of war ; and if it must be owned that his prowess was debased by the exploits of a freebooter, it is certain no act of cruelty, no robbery of the widow, the fatherless, or distressed, and no murder, were ever perpetrated under his command. He often gave the spoils of the rich to relieve the poor ; and all his tribe were restrained from many atrocities of rapine by the awe of his mighty arm. Indeed it is said that a dispute with an aspiring and savage man of his tribe who wished to rob a gentleman's house while his wife and two children lay on the bier for interment was the cause of his being betrayed to the vengeance of the law. The Magistrates of Aberdeen were exasperated at Macpherson's escape, and bribed a girl in that city to allure and deliver him into their hands. There is a platform before

the jail, at the top of a stair, and a door below. When Macpherson's capture was made known to his comrades by the frantic girl, who had been so credulous as to believe that the Magistrates only wanted to hear the wonderful performer on the violin, his cousin, Donald Macpherson, a gentleman of Herculean powers, did not disdain to come from Badenoch, and to join a gipsy, Peter Brown, in liberating the prisoner. On a market day they brought several assistants; and swift horses were stationed at a convenient distance. Donald Macpherson and Peter Brown forced the jail; and while Peter Brown went to help the heavily-fettered James Macpherson in moving away, Donald Macpherson guarded the jail door with a drawn sword. Many persons assembled at the market had experienced James Macpherson's humanity, or had shared his bounty; and they crowded round the jail as in mere curiosity, but, in fact, to obstruct the civil authorities in their attempts to prevent a rescue. A butcher, however, was resolved to detain Macpherson, expecting a large recompense from the Magistrates; he sprung up the stairs, and leaped from the platform upon Donald Macpherson, whom he dashed to the ground by the force and weight of his body. Donald Macpherson soon recovered, to make a desperate resistance; and the combatants tore off each other's clothes. The butcher got a glimpse of his dog upon the platform, and called him to his aid; but Macpherson, with admirable presence of mind, snatched up his own plaid, which lay near, and threw it over the butcher, thus misleading the instinct of his canine adversary. The dog darted with fury upon the plaid and terribly lacerated his master's thigh. In the meantime, James Macpherson had been carried out by Peter Brown, and was soon joined by Donald Macpherson, who was quickly covered up by some friendly spectator with a hat and greatcoat. The Magistrates ordered webs from the shops to be drawn across the Gallowgate; but Donald Macpherson cut them asunder with his sword, and James, the late prisoner, got off on horseback. He was, some time after, betrayed by a man of his own tribe; and was the last person executed at Banff, previous to the abolition of heritable jurisdiction. He was an admirable performer on the violin, and his talent for composition is still evidenced by Macpherson's Rant and Macpherson's Pibroch. He performed these tunes at the foot of the fatal tree; and then asked if he had any friend in the crowd to whom a last gift of his instrument would be acceptable. No man had hardihood to claim friendship with a delinquent, in whose crimes the acknowledgment might implicate an avowed acquaintance. As no friend came forward, Macpherson said the companion of so many gloomy hours should perish with him; and, breaking his violin over his knee, he threw away the fragments. Donald Macpherson picked up the neck of the violin, which to this day is preserved, as a valuable memento, by the family of Cluny, chieftain of the Macphersons.*

The above fanciful picture was probably never intended by the writer to be a narrative of fact, but it has nevertheless been often accepted as such. That the two-handed sword referred to was Macpherson's has been stated to be improbable, but still more improbable is it that the violin neck was his.

In expiscating the truth regarding Macpherson it is necessary to remember that the Irish have a "Macpherson's Tune," played, according to tradition, "by its composer, John Macpherson, on the bagpipe, as he was carried to the gallows."† Dr. John Stuart remarks: "It might be interesting to inquire how far popular fame may not have confounded the Banffshire gipsy with the highwayman of Leinster."‡

* W. H. Ainsworth's "Rookwood" (1836).

† Mr. James Imlach (History of Banff) states that when the Waverley Novels were issuing from the press he was applied to by a friend of Sir Walter Scott's to collect any memorials bearing on the trial and untimely fate of poor M'Pherson. "In consequence I had the whole of this trial, with the examination of the witnesses, copied from the town's records, and was successful in collecting many traditions regarding M'Pherson's wild life, and, in some cases, generous conduct to the poor in the upper part of Banffshire, with not a few poems and letters commemorative of his exploits." These documents were afterwards handed over to Lord Fife, Sir Walter having declined them, observes Mr. Imlach, owing to an injudicious announcement thereanent. Whether they are now in the library of Duff House, or of what value they are, is unknown.

The Town Council minute book has the following entries in reference to the case of Macpherson :—

1700, September 10.—“The said day Provost Leslie produced the mittimus for the incarcnerating of the persons of Patrick and Donald Brounes, James Macpherson, and James Gordone, gipsies; and the Magistrats for preventing ther escape attour the fulfilling the termes of the mittimus have ordered ane nightlie gaurd to be kept to consist of nyne men and ane commander to gauird the prisone hous nightlie and ane sentrie to be kept at the prisone door and ane other foragainst the windowes and the gaurd to goe throw the toune at their entrie and search all suspect houses, &c.

October 23.—“The Counsell appoynts gaurds the tyme of the tryall of the prisoners in the tolbooth Thursday next.”

The Laird of Grant put in a claim to repledge the two Browns as being his vassals, and subject to his jurisdiction, and it appears their trial was completed subsequent to that of Macpherson and Gordon, and that on 21st February, 1701, sentence of death was passed upon them, to be carried out on the Gallow Hill on 2nd April. The items in the Burgh Accounts, such as “To the officers anent the Ægyptians £21,” &c., seem to correspond at least with the fact that they did not escape, and it is almost certain, from the manner in which the town’s records were then kept, that had the Browns escaped from prison, as alleged, reference thereto would have appeared. But no such reference is found. That they did obtain a temporary reprieve is certain from the following :—

1701, March 4.—“There was a petition to the Privy Council from Peter and Donald Brown, prisoners in the Tolbooth of Banff, representing that they had been condemned solely as ‘repute vagabond Egyptians,’ to be hanged on the 2nd April. They claimed a longer day, ‘either for their relief or due preparation’; and the Lords granted reprieve till the second Wednesday of June.” (Dom. Annals, III., 237.)

A loose paper, in the handwriting of the Town Clerk, among the Town’s records, without date, except that on a part of the paper not referring to the following entry is the date 26 Feb., 1701, gives some confirmation to the above :—

“Petition to be sent to the Lords of H.M. Privy Council of the ‘losses susteined be this brugh in watching and warding of the Egiptianis within our tolbooth which to us hes bein no small trouble, paines and expenses.’ Application to be made ‘before the executione of these Egeptians to be

execut the 2 Appryll nixt or any reprivall to be gott for them.' It is added if they had not been strictly guarded the same might have happened as at Inverness, where 'such kynd of wicked villans' broke the prison and escaped."

"Michaelmas, 1700—Michaelmas, 1701. Paid for candle furnished to the guards, judges, and assysors at the Brown's tryall and during their imprisonment £14 1s. 8d." (Burgh Accounts.)

1701, March 22.—"Letter to be sent to Lord Viscount Seafield and to the Lords of Privy Council for 'reimbursement of the expenses and looses sustained to the burgh in gaurding the Egiptians.'" (Town Council Minutes.)

In sending the same or a similar petition to the Earl of Marchmont, Lord High Chancellor, and the other Lords of H.M. Privy Council, the Town Council appended an attestation by the Earl of Findlater and other Commissioners of Supply, bearing that they had been at £603 4s. of expenses in keeping an extraordinary watch on several Egyptians committed to their tolbooth by a *mittimus* from the Viscount of Seafield, Sheriff Principal of the Shire: "This was a publict service tending to the great advantage and security of his Majesties leidges, for those profligate vagabounds did sorne all the countrey round both south and north, whereas now some of the chiefe heads of that pestiferous crew being lay'd aside their followers may come to disperse, but your petitioners are altogether unable to hold up under the forsaid expense, for our Toun's common good is nothing, and if wee be not releived therof the present magistrats must demitt, nor will ther be found any to succeed them for fear of execution for debts." They plead that relief was granted in the case of Perth.

One of the "proposalls offered and demandit off Sir Alexander Ogilvie off Forglen, comissioner for the Brugh of Banff, to represent them in Parliament," was "that the 600 pounds anent the Browns which lyes in Sir Alexander's hands be peit," and through the influence of Forglen and the Earl of Seafield "the toun's outlays anent the Egyptians" appears to have been paid in 1705.

THE REBELLION OF 1715.

Many facts drawn from contemporary records, both civil and ecclesiastical, incline one to the opinion that the first Jacobite Rebellion

was a far more serious matter than the second, and in this respect Banff and the surrounding district form no exception.* The first Rebellion had the sympathy of Lord Deskford and the active support of Sir James Abercromby of Birkenbog, Sir James Dunbar of Durn, George Gordon of Buckie, James Gordon of Letterfourie, the Laird of Farskane, and many others in the district. Of the Documents connected with the Management of Estates forfeited by the Rebellion of 1715, and now in the General Register House, Edinburgh, are, from this district, those of Sir James Dunbar of Durn, Major-General Alex. Gordon of Auchintoul, and others.

Among the Burgh Records is the following letter from "John, Earle of Mar, &c., Comander-in-Cheife of his M^{ties} forces in Scotland.

"Our Soveraigne Lord James the eight haveing bein pleased to intrust me with the directione of his affaires and the comand of his forces in Scotland and it being absolutely necessar to raise money for their support and maintenance, These are therefore in his M^{ties} name Requyreing and comanding that all men betuixt sixtie and sixtein of age within the shyre of Banff doe furthwith repaire to the camp at Pearth or where the armie shall be for the tym with their best cloathes, horses and airmes and fourtie dayes provisione or loan at six shillings Scots a day or vtherwayes that every heretor, fewer, or wodsetter now attending the King's standart and such heretors as are or may be excused or their factors or doers in their absence and lykewayes all liferenters doe immediatlie proportione and raise money among the tennents and possessors of their respective estates and lyfrent lands sex monethes cess and that such heretors who doe not presentlie nor shall not betuixt and the fyfteinth day of November nixt attend the Kinges standart if not excused by me shall immediatly proportione and raise among the tennents and possessors of their respective estates Twelve monethes cess the which severall proportiones according to the respective caices forsd is directed to be payed by every heretor, fewer, wodsetter, and lyfrenter To George Gordon of Carnowsie, collector appoynted for that end at the Burgh of Banff on or before the fyfteinth day of Nov^r with certificatione that parties will be sent out to quarter upon and poynd and apprehend the

* Cf. "The Church," *sub* 1716. Also T.C., *sub* 1714, 1715, 1716. At Banff Pasch Court, 1716, "the Sheriff Deput be reason of the present circumstances and the confusion the countrey is in all the tyme, the most of the above named noblemen and barons being gone abroad, he excuses all of them for their absence from the Michaelmas Head Court."

persones of the heretors and Tennentes who refuse or delay to give obedience hereto and the heretors or their factores and doers are heireby requyred wpon their heighest perrill to give in Listes of their deficientes on payment That they may be proceidit against with all severitie and to the effect the tennents and possessors lyable in payment of the sowmes to be levied as affoirsd may be the better enabled and encouraged to make punctuall payment of their respective proportiones in either caices befor mentioned, It is heireby directed that they shall have releife in maner followeing viz: The tennents and possessors of the lands belonging to heretors and uthers alreadie in his Mäties service and who shall be in his Mäties service on or before the day befor mentioned shall have allowance and retentione out of the current yeires rent from their respective heretors off the one half of the money to be advanced by them and shall have a proportionall pairt of the uther half from their cottars and servants at the heretors' modification and the tennents and possessors of landes pertaining to heretors who neither are nor shall ingage themselves in his Mäties service by the tym limited as above shall have allowance and retentione in their owne handes out of the current yeires rent from their severall heretors of three fourt pairts of the sowmes advanced by them and a proportione of the uther fourt pairt from their cottares and servants as before directed and that all tennents and possessors of landes whatsumever may be better ascertained of their safetie wpon their giveing due obedience heireto, it is farder directed that neither they nor their cottars nor servants shall be obleidged to attend the armie But that they shall have ane ample protectione for their persones and goods, And ordeins these pñts to be published at the mercat croce of Banff and copies heireof to be ishued furth by the collector and publeished at the respective parish churches within the shyre where there is sermon and where there is not that the intimatione be direct to the cheife heretor in every parish and in his absence to his factor or most substantiall tennent who is heireby requyred to intimat the same to the rest of the heretores liveing within that parish, That non may pretend ignorance.

" Given at the camp at Pearth the tuantie seavinth day of October one thousand seavin hundreth and fyftein yeiris.

" Sic Subscritur

" MAR."

[The signature is not original.]

On the same paper and in the same handwriting is the following :—

“ By warrand and order of George Gordon of Carnowsie, collector above mentionat. These are appoynted to be intimat at the parish kirk of Inveravan wpon Sunday nixt the Thretteinth day of November instant and doe requyre all lyable to levie, raise, and proportione the cess above mentionat respective for sex and tualve monethes at the rate of nyne poundes and nyntein shillinges Scots money wpon each hundreth pound valued rent of the estates of heretors in his M^{ties} service and of the double therof wpon the vther heretors above mentionat, And to pay in the samyn to Joⁿ Donaldsone, writter in Turreff, factor appoynted by the said Collector for that effect, at the Burgh of Banff wpon the sd fyfteinth and the sexteinth and seavinteinth day of November instant and thereafter wpon each Thursday, Fryday, and Saturday weiklie thereafter wntill payment be compleitlie made, And also requyreing these who have alreadie payed the tuo monethes cess which was payable the tuantie nyth of September last to bring with them and give in to the said factor the receipts granted to them of the said tuo monethes cess which shall be allowed to them in the first end of the said sex and tualve monethes cess respective. Given by order forsaid at Banff the eight day of November 1^m vii^c and fyftein yeirs By me

“ J. DONALDSONE.”

Among the Burgh Records is “ An order of the Earl of Marr’s upon the Burgh to pay their cess to Glenbucket in 1715 with said Glenbucket’s receipt thereof.”

The following Notice was issued early in 1716 :—

“ All Noblemen, Barrons, Heritors, Fewers, Wadsetters, Tennants, Burgeses, and all others the Fencible men within the said Town and parish of Bamff to meet and convene att the Gallow Hill of Bamff upon Thursday next the ninth day of February currant bringing with them their best horses, arms, and accuttraments, against the hour of eleaven acloack the sd day and that all Noblemen, Barrons, Heritors, Fewers, and Wadsetters doe make up effectuell Lists of all their Tennants and Fencible men within the said toun and parish of Bamff to be given to us the sd day before the Rendewozes to the effect punctuall obedience may be given to his Majesties commands in the terms of and conforme to our said Commission they shall be proceeded against with the utmost

severity. Given at Whythills the fourth day of February 1716 and of his Majesties Reigne the fifteenth year.

"JAMES OGILVIE.

"JAMES GORDON."

The Burgh Accounts show that so late as 1718 there was raised by cess, *inter alia*, "£7 4s. for ane years annual rent of £12 Sterling resting to the Kirk Session borrowed for payment of Marr's imposition."

The frequent passing and repassing of soldiers is shown by entries such as these :—

1716, April 6.—"To horse hyre for souldiers' baggage, 8s. 6d."

Numerous papers in the Records relate to the delivering up of arms after the Rebellion :—

1716, October 23.—"Appretiators were appointed by the Magistrates to receive and value the arms of the inhabitants entitled to payment for value thereof conform to Act of Parliament, who continued dutiful and loyal to His Majesty during the late Rebellion.

1716, October 27.—"The Council ordaines the Drummer to intimate to the inhabitants preceisly to bring in their armour Munday next the last day otherwise the falliyers to be lyable to the penalties specified in the Acts of Parliament.

1717, January 7.—"Reported [to the Town Council] ane letter from Generall Carpenter dated at Edr 3rd Decr 1716 direct to the provest of Banff marked on the back this 'Free. Geo. Carpenter' bearing that by the last post he had ane letter from his Majesties Board of Ordinance desyryng he should gett and send to them ane exact account of the number and condition of all the armes delivered in by the county in the several places where they are 'which I pray you will transmitt to me as soon as may be and that such armes may be kept safe till you receive directions about them from the Board of Ordinance or from me. I am, Sir, yo^r most humble serv^t sub^d thus Geo. Carpenter.' January 12.—The Council considering Gen^r Carpenter's letter and the last Act of Council orders the Valuators of the town's arms to meet on Tuesday within the Council House and conclude the valuation and grant receipts to the proprietors of the arms for the values therof."

There were collected at Banff "691 guns and gun barrells, 1002 swords and sword blades, 360 pistols and pistol barrells, 48 Lochaber

axes, 20 targes, 120 durks, 2 breast plaits, ane back peice old and insufficient, wheroff the gun stocks were brunt with the targes at the Croce of Banff this day, 28th May, 1717." On 23rd October, 1716, payment was made for the arms delivered up by Andrew Hay of Montblairry, Collector of Supply in the shire :—

"A broad sword and halbert were valued at £8 14s. Sc., Baillie Wallace received £23 Sc. for 'ane gun, ane broad sword English mounting, ane other broad sword, Highland guard, ane small sword or rappier, an Dannish aix.'

"Mark Maver received £46 16s. Sc. for ane fine gun silver indented p. six silver bars and ane small sword.

"Ane gun well fixed fitt for service, £11 2s. Sc.

"Blunderbush gun, £15 12s. Sc.

"Fine gun half bend work, £16 8s.

"A gun and a partisan, £12 Sc.

"Ane old musquet match lock, ane Highland stoked and worked gun, ane broad sword, Highland mounting, two small swords wanting scabarts, £12 12s. Sc.

"A small shearing sword, brass mounting.

"A durk with knives at the back thereof.

"Two swords, one with an English hilt and another with a Highland hilt."

On 22nd March, 1717, were delivered up at Banff from Cullen : "135 guns, 9 gun barrels, 9 danish axes, 234 swords, 74 pistols side and huster, 1 target, 3 calivers, ane back and breast plait and head piece." From Keith were brought "470 guns and 2 gun barrels, 1 breast plate, 20 targets, 16 gun locks and pistol locks, 742 swords, broken and haill, some without hilts and scabards, 273 pistols, side, huster, and pocket, and 3 barrells, 99 durks, 40 halberts and Danish axes."

The arms had to be forwarded to Leith by orders given at Edinburgh, 22nd April, 1717, by Col. George Carpenter, Commander-in-Chief of His Majesty's forces in North Britain, directed to "The Officer Commanding Four Companies of Lord Shannon's Regiment at Elgin." In forwarding them the instructions bear "you will direct great frugality to be used."

The Act of Parliament ordained that 200 stand of arms be left with each burgh for keeping of guard. The arms that belonged to this burgh a few years thereafter—11th April, 1723—and then committed to the

charge of George Stewart, Dean of Guild, were as follows: "60 guns, 52 swords, 3 shaikles, 1 sword staffe, nyne huster pistolls, fyve side pistolls, 3 pocket ones, 2 pistol barrels, 3 patron tashes and ane halbert."

The Rebellion came to an end, but it was some time before security was assured, as the following, *inter alia*, from the Burgh Records shows. It is apparently of date 1719, and, although relating more directly to the county than the burgh, is here given:—

"Proposals to be laid before the Gentlemen of the Shires of Murray, Banff, and Aberdeen, for preventing Theft and Depredations by means of the Highland Regiment.

"That as its well known theiving of all kinds has been more frequent for these severall years past than formerly notwithstanding that the Highland Companies were augmented from three to six and from six companies to a complete Regement and that the said Companies were raised merely with intention to prevent the honest and industrious pairt of the county from being oppressed by Theives and Villans and that while they were commanded by the first officiars the country were pretty well protected but by altering the stations first of the Highland Companies and then of the Highland Regement or from some other causes its verie plain that the County for some years past has suffered more in one year than they did in twenty while they had three Companies. Its thought that one of the reasons is that the officiars are not sufficiently instructed that it is their business to prevent theiving or to recover goods after they are stolen, but only to settle their men in places on highways and at bridges where they can be of little use if inclined which yet does not seem to be the case at present. It is therefore proposed that the gentlemen of the county should address General Claytoun in the most agreeable way they can think of and lay before him the following proposals viz. That the General would be pleased to send a detachment of 70 men under the command of sub officiars as he shall think fitt to be divided and stationed betwixt the countries of Glengarry L . . har . . B . . of Locha . . and that after they were so divided the officiars, serjeants, and corporalls commanding each party should be instructed to make out lists of such of the inhabitants of those countries as are suspected and habite and repute to be the persons who committ those depredations and upon their getting informed of any cattle being stolen

the persons suspected ought with humble submission to be apprehended by those parties and detained until they can make it appear by honest men where they were when such cattle were stolen and this means has been practised by the Independent Companies with so good success that the thieves have been obliged to make numerate payment of the damages or return the goods stolen and sometimes have by this means been so hard put to it that they have been forced to tell truth and acknowledged that they were stealing in a different corner of the county than that where they were supposed to have been. This custom prevails over all the Highlands, whilk makes it equal to a law, that when any cattle are stolen, people habite and repute thieves are bound to prove themselves *alibi* and that they were seen by honest people ly down at night and rise in the morning for several days before, at, and after the time the theft was committed or pay the damages, and this is done betwixt clan and clan when they are in freendship alwise and ane other practice prevails that when the owners of the stolen goods or the soldiers of the Independent Companies follow stolln cattle and find their tracks the heretors and possessors of the ground where the tracks is found are bound to trace it forward from one to ane other until the cattle is found or to pay the damage where the track can be no farder traced and if the General will be so good as to condescend to dispose of such numbers of the Highland Regiment as he thinks proper sufficiently instructed in above manner and alters the parties from the station upon the roads and that the officers and soldiers are convinced by the general that it is their duty to protect the county its proposed that the General should send a serjeant and 12 men to Strath Cluny, an other serjeant and 12 men to Kanachwit in the Breas of Glenmorison, 6 men to the Breas of Strathnairn, 6 men to the Breas of Strathearn, 6 men to the Aillan or Raggs or Dulnan in the Breas of Glenclermict, 6 men to Lochendorm, 6 men to Glenmore, or Breas of Abernethie, 6 men to Glenfessie, 4 men to Delnafert or Kinrara, 6 men to the Braes of Strathdour, 6 men to the Braes of Strathdown, 6 men to Glenberin upon Dee, 6 men to the Dubrich and 6 men to Glenshee. No men at the Black Rock or Dallmagerry, Currybrough, Aviemore, Ruthven, Delnilhadich or the Bridge of Tay, but that the men stationed in the above places shall have orders, where cattle are stolen, and that any one of these parties are advertised of the owners, to follow without putting the leidges to any charges, but to live on their pay."

THE MAGISTRATES AND THE PRESS.

In former times the Magistrates were very sensitive as to the honour of their good town. In 1739 they represented to the Town's Agent, Mr. Garden, Edinburgh, that there had appeared in "that paper of the public prints entitled *The Caledonian Mercury*," as of date from Edinburgh, 19th April last, a paragraph entitled "Extract of a letter from a Gentleman of credit of Banff," dated the 12th inst., wherein the words are to be read: "This storm has quite demolished Portsoy peer so that no boat can enter," also a paragraph as of date from London, Dec^r 1, 1739, of this tenor: "Dulce et decorum est pro patria mori. We hear that the Fiery Cross and Blue Blanket are reviving through all the Cities and Towns in Scotland which are the Scots colours when they fight *pro aris et focis* and that John Crookshanks, Laird of Dinnin (?) and George Gordon, Merchant, Deacon Conveeners of the blue blanket, set up the Fiery Cross at Banff and Portsoy last week." The Magistrates add: "As to these two paragraphs it's apprehended they have been done out of some scoffing view, which the Magistrats want to discover, and to have the authors punished, as the fault deserves, and therefore they want you should lay yourself out to get information from the proper hands of the authors and ingivers of the forementioned pieces of news, and send the Magistrats an account of them. The Magistrats suspect the heading 'London' is only a ruse to skreen the authors."

In 1771 the Magistrates again came into collision with the Press. On May 10th of that year the Town Clerk addressed a letter to Mr. Chalmers, printer in Aberdeen, stating that "the Magistrates observe by a quotation in your last Aberdeen paper from a petition said to be given in for the two gentlemen presently in the prison of Banff that you represent that prison as a very unwholesome place, and that these gentlemen have thereby already suffered greatly in their health. As it is the duty of the Magistrates of all Royal Burghs to have their prisons every way proper and secure, the Magistrates wish the public to know the prison, while sufficiently secure, is both dry and airy. The room where these two are confined is a pretty large vaulted room, having a large window and a small one in it and a very good fireplace, and although no prison can be said to be comfortable nor confinement

healthy these two have made no complaint of their healths being impaired, nor showed the least desire to be removed to the prison of Aberdeen or that of any other place until their trial, so if there were any such petition it must have been drawn up by one totally unacquainted with the state of the prison of Banff, which was last winter visited by the Sheriff by directions of the Lord Advocate and a proper report of it made." On 13th May Mr. J. Chalmers replied: "I little imagined that the inserting of a current report could have given the Magistrates of Banff such offence. I mentioned it as a report only." He agrees "to insert in my next a paragraph in the Domestics" that they were misinformed as to the petition, and "that the prison of Banff is as airy and commodious as any." The Magistrates reply that if Mr. Chalmers satisfy the Sheriff they will take no further steps.*

Of date 1741 is a memoir from the Magistrates anent prosecuting W. M. and others for slandering them in stating they connived at the meal mobbing. The Magistrates represent that "disorders were in Banff and several other places in the north by the poorer sort of people on account of the dearth and scarcity of victuall and the calamities the country was then exposed to, particularly that the house of George Leslie in Banff was attacked by a few of these mobbers under silence of night and his windows broken, upon the supposition that he had meal concealed and keeping up to a dearth, and there was a ship load at this port with victual which the mob attacked and plundered under silence of night, consisting mostly of the military then in the place and great numbers of people in disguise from the country from all arts."

In 1743 an unfortunate occurrence happened in the town, whereby a citizen lost his life, or, as the precognition bears, "was murdered." On 7th December some goods had been seized by the Customs officials and conveyed from the Shore to a cellar in the house of Alexander Strachan, merchant and postmaster. George Loban, landwaiter of the Customs at Aberdeen, fearing an attempt at recapturing the goods, applied for a party from the officer commanding at Cullen. Accordingly Joseph Ball, Sergeant in Colonel De Grange's Regiment, with ten men, were sent to aid Loban. Some soldiers of Sergeant Walker's Company were also in Banff at the time. About one o'clock next morning a mob appeared before Alexander Strachan's house and remained there for four hours,

* Cf. T.C., 10th Feb., 1783.

during which time they threw stones at the soldiers. Ball had been warned by his Officer not to order his men to fire. Hector M'Kenzie, workman, however, was shot, as he was approaching the sentries between five and six o'clock A.M. with the butt end of a broken halbert, certain others of the mob following him. A witness said he heard a soldier say he had dropt a man and it was agreed not to speak of it. M'Kenzie's relict, Mary Fraser, deponed that he was designedly aimed at and shot by George Loban or by Joseph Ball, or by some one of the soldiers. John Cruickshank, who lived on the east side of the street opposite Strachan's house, stated that one ball went into his house and seven shots grazed the wall of the house. An important letter from His Majesty's Solicitor in connection with this case had a fate not singular in those days. It was despatched from Edinburgh 20th December, 1742, and arrived at Banff at 6 o'clock on the evening of 3rd January, 1743. The express stated that he lay sick ten days on the road. About this time affairs were not in a very settled state either by land or sea, as the following extracts from the Burgh Accounts show :—

1745, May 3.—“By cash to an express adviseing of privateers being about Peterhead, £1 4s.

1746, December 8.—“By cash paid an express from Frasersburgh for adviseing of a privateer being on the coast, 18s.

1747, April 13.—“By an express from Frasersburgh adviseing of a privateer being on the coast, 24s.

THE REBELLION OF 1745-46.

The Second Jacobite Rebellion cannot be said to have met with much general sympathy from the inhabitants of this district. From contemporary ecclesiastical, and other records it rather appears to have been regarded in the light of a nuisance.

1746, April 12.—“To our joy the Highland rabble on the approach of the Duke and King's army fled in great confusion away.” (Dundurcus Kirk Sess. Minutes.)

1746, April 23.—“Thanksgiving held in Deskford Church ‘for the glorious victory over the Rebels, 16th inst., where numbers of the rebel army were slain, and a complete victory obtained.’”

The extracts that hereafter appear from the Town's Records do not corroborate the statement made by the writer of the New Stat. Account :—

"A friend of the compiler's, who had lately occasion to inspect the town's records, has remarked it as a curious circumstance that there is not a syllable to be found in them which could indicate that the country was not, at that period, in a state of the most profound calm; and shrewdly conjectures that the magistrates had, with the characteristic caution of the nation, purposely avoided committing themselves by any written expression of opinion which might stand in the way of their joining the party that should eventually prevail."

Sir John Cope, on his return march from Inverness, passed through Banff, having under him 2100 foot.

1745, September 9.—"By cash to Alexander Lyon for going express for the Provost on General Cope's arrivall, 12s."

1745, September 9.—"By 3 oz. Tea when General Cope was in the Town House, 15s. By 1 lb. 2 oz. suggar, 13s. 6d. By $\frac{1}{2}$ lb. Coffee, 9s. By a loaf bread and one load peats, 8s."

Cope arrived at Aberdeen on 11th September.

1745, Dec. 18.—"By peats and coals* for M'Leod's guards, £2 7s."

1746, March 15.—"By cash to Adam Wilson and John Gaull for going out with the Provost to sea in order to get aboard of a King's ship, 18s."

The Duke of Cumberland left Aberdeen with the last division of his army on 8th April. At that time six battalions with Kingston's Horse and Cobham's Dragoons, under Major-General Bland, were stationed at Strathbogie, and three battalions at Old Meldrum, under Brigadier Mordaunt. These joined him at Portsoy. The whole regular force under the Duke's command was 7200 men, besides 2000 militia. He quartered the first night at Old Meldrum, and arrived on Thursday, 10th April, at Banff.

"In Aprile, 1746, when the Duke of Cumberland was at Banff, before the battle of Culloden, he [Lord Braco] gave £250 of drink money to the common soldiers of his army, merely that he might with more freedom ask protections for the houses, cattle, horses, and other effects

* This is one of the earliest notices of the supply of coals to the guards. Peats alone were in use to them before.

of any of his friends and relations, who had the misfortune of being engaged. And indeed at that time both he and his Lady exerted their utmost efforts to save all that they could from being plundered or otherwise harrassed." (Baird's "Geneal. Memoirs of the Duffs.")

"Bamff is a royal borough, the first seaport town we came to after we left Aberdeen, and situated at the mouth of the River Deveron, in the Boine, which divides the shire of Bamff from that of Buchan. Before we could enter Bamff we were obliged to ford this broad river." (Ray's "History of the Rebellion.")

James Ray, of Whitehaven, who was a Volunteer under the Duke of Cumberland, further remarks:—

"I passed with the advanced guard over a hilly country until I came to Bamff, where His Royal Highness gave his army a day's rest. Here were two rebel spies taken, the one was knotching on a stick the number of our forces, for which he was hanged on a tree in the town, and the other a little out of town, and for want of a tree was hanged on what they call the Ridging tree of a house that projected out from the end, and on his breast was fixed this inscription: 'All you that passes by take warning by me a rebel Spy,' which, with the addition of good entertainment, might have been a very famous sign* . . . I had but just come up with the army [before reaching Portsoy] and taken my station at the head of Kingston's Horse, which composed the vanguard, when they saw a great fire burning vehemently at about a mile and a half distance on our left. The officers not knowing what it was, I proposed to go and see. When I came there I found it to be a Non-juring Meeting-house set on fire by a party of Kingston's that were reconnoitering the hills."

"As a prelude to what was to happen afterwards the Duke of Cumberland caused hang a poor innocent man at Banff and another at Boindy, within a mile of the former, on pretence of their being spies, though such as knew them affirm they had scarce wit enough to do their own country business far less to play the spy. There likewise the army destroyed a fine chapel belonging to the Episcopal congregation, cutting down the roof, burning the seats, books, pulpit, and altar, and breaking the organ in pieces. And this was their constant practice all the way

* Ray tells also of a rebel spy hanged on a tree close to the Bridge of Don, with this writing fixed on his breast: "A rebel Spy."

they marched, with this difference, that in country places they stayed not to take anything out, but burned houses, Bibles, Prayer-books, and all as at New Durn, Clynhill, Kearn of Duffus, and many others."* (Jacobite Memoirs of 1745. Edited by R. Chambers.)

* The feeling on the part of the Episcopal Church is well exemplified in the following form of service found (1891) when unroofing a house in Banff, in a small bundle of papers relating to the Rebellion of 1745-46. The papers, except the one here referred to, have been rendered almost illegible by damp. This paper is in the handwriting of the early part of the 18th century, and may possibly, from the tone of the prayers, belong rather to the '15, and as days of special service are known to have been held about that period. (See "A True Representation of the State of the Church in North Britain." 1718, p. 80.)

"In the Communion Service after the prayer for the King (O Almighty God, whose Kingdom is everlasting, &c.) instead of the collect for the day these two may be said :

"Almighty God, Ruler of princes when they are on their Thrones, and their protector when they are in perils, Look down from heaven, we most humbly beseech, upon the many and great troubles of our gracious Sovereign, Defend his person from danger both by sea and land ; Bless his counsels : Prosper his enterprizes and command thy Angels so to pitch their tents round about him That he may be preserved from the hands of all those that seek his hurt and may be speedily established in the Just Rights of his Throne, through Jesus Christ our Lord. Amen."

"O God of all Might and Wisdom, by whom alone Kings reign and people are made obedient unto them, we most humbly beseech thee to defend thine own ordinance in the defence of our Injured King ; that as thou hast given him a most Just Title to his Father's Kingdoms, so thou wouldest be pleased speedily to bring him to the rightfull possession of them ; and to that end that thou wouldest vouchsafe to put the spirit of Counsell, Courage and Unity on all them that are Loyal to him : and as for such as openly oppose him or these strange children that desemble with him that thou wouldest infatuate their counsels and blast their endeavours, turning their hearts to thee their God, and to their King : which we beseech thee to grant for Jesus Christ his sake, our only Saviour. Amen."

"Epistle—I. Tim. 2nd to 9th vs. Gospel—Matt. xx. from verse 15th to verse 23rd.

"After the prayer for the whole state of Christ's Church militant is to be said The Collect for our Distressed Church and that for our Patriots :

"For our Distressed Church.

"O God, thou in thine abondante greace didst build a vine yeard in our land and planted it w^t the choisest vine : Thou didst look that it should bring forth grapes and it brought forth nothing but wild grapes. Righteous art thou, O Lord, in permitting the hedge to be taken away and its wall to be broken down, and it to be trodden upon and laid waste. We are become a Reproach to our neighbours, a scorn and derision to them that are round about us. How long O Lord ? will thou be angry for ever ? Shall thy Jealousie burn like fire ? Will the Lord cast off for ever and will he be favourable no more ? Hath God forgotten to be gracious ? Hath he in his anger shut up his tender mercies ? in the midst of deserved wrath remember mercy. O remember not against us our former iniquities. Let thy tender mercies speedily prevent us for we are brought very low. Help us O God of our salvation for the glory of thy name and deliver us : By the Blood and Spirit of Jesus Christ purge away our sins for thy name's sake. Lord have mercy on Zion, for the time to favour her, yea, we hope the sett time

is come. Let it be thy Habitation in which thou mayest delight to dwell, and for that end cloath her priests with righteousness that her saints may shout aloud for Joy. Send forth Shepherds that may feed the flock and not themselves, that may seek that which was lost and bring again that which was driven away and bind up that which was broken and heal that which was sick and may not rule them with force and cruelty but in the spirit of meekness that the flock may be no more a prey. Lord grant that they may with all fidelity feed the flock of God and take the oversight of them not by constraint but willingly not for filthy [blank] but of a ready mind, not as being lords over God's heritage ; but being ensamples to the flock, That when the Chief Shepherd shall appear they may receive a crown of glory that fadeth not away. Let the younger submit to the elder and all be subject one to another and be cloathed with humility for Thou resisteth the proud but gives grace to the humble. Lord make thy people a willing people in the day of thy power. Create in them clean hearts and renew a right spirit within them ; that we may not be of the number of those that are ever learning and not able to come to the knowledge of the Truth ; But give them a meek and humble Heart which thou wilt teach and a single eye which thou wilt enlighten. Teach them to know them that labour among them and over them in the Lord and admonish them and to esteem them very highly in love for their works' sake and to be at peace among themselves. Lord teach them to mark those which cause divisions and offences and to avoid them, that henceforth they may be no more children tossed to and fro and carried about with every wind of doctrine by the slight of men and cunning craftiness whereby they ly in wait to deceive but speaking the Truth in love they may grow up into him in all things which is the head even Christ who with thee and the Holy Ghost ever liveth and reigneth one God, world without end. Amen."

"For the Patriots.

"O God who in thy great goodness didst from time to time raise up Deliverers for thy Church and people when they groaned under sad oppression, we glorify thy holy name who hast poured forth a spirit of zeal and courage on those who now appear for vindicating the rights and liberties of our injured King and oppressed nation. We humbly beseech thee to bless them with true repentance and pardon of their sins, to animate them with true courage and pure intentions, to direct their counsels and protect their persons and to save them from all kinds of vices and immoralities that may provoke thy displeasure and blemish thy holy religion and the righteous cause they have in hand. May they always trust in thy salvation and overset before their eyes thy glory and the publick good. Crown their laudable enterprizes with a comfortable success and happy event to the glory of thy name and the comfort of thy Church and people through Jesus Christ our Lord. Amen."

"Immediately before the blessing may be said this Collect :—

"Almighty and everlasting God, mercifully look down upon our infirmities and miseries and in all our dangers and necessities stretch forth thy right hand to help and defend us, through Jesus Christ our Lord. Amen."

"Order for Evening Prayer :

"The same Sentences before the Exhortation as at Morning Prayer.

"Psalms 20, 60, 102.

"Lessons—I. Samuel v. the First Lesson and the Epistle of Jude the Second Lesson.

"Instead of the first Collect may be said the two first Collects that were said at morning prayer.

"After the Collect (Lighten our Darkness) may be said the three Collects that were said in the end of the Litany.

"Immediately before the prayer of St. Chrysostom may be said the Collects for the King, the Distrest Church and the Patriots. Finis."

1746, April 16.—“I hear one Innes, a dyster in Bamf, for treasonable informations, was hanged there last week, and another at Boyndie.” (Diary of Rev. John Bisset, minister at Aberdeen.)

The New Stat. Account of Banff (1836) states that “the only exploits by which the Duke of Cumberland’s troops signalised their visit were the destruction of the Episcopal Chapel, and the execution, or rather murder, of a poor man named Alexander Kinnaird from Culvie, in Marnoch. Being found with a stick notched, or seen notching it, in a way supposed to take account of the boats passing the river with troops, he was taken for a spy, and immediately hanged on a tree near the site of the present chief hotel.”

A medical officer who accompanied the Duke of Cumberland on his march thus records his impressions of Banff in 1746 :—

“Banff is a neat town, consisting of two long streets and several short ones ; there is also some neat buildings in it, and two small harbours for shipping, but large vessels cannot come near them. There is the ruins of an old Castle at the head of the town, and also a Market Cross just by it, close to which is a house of good entertainment kept by the Town Clerk, one James,* a very civil and obliging landlord. About a mile from the town is a good salmon fishery upon the Deveron, and from the sea you have plenty of all sorts of sea fish. The town, I believe, lives chiefly by smuggling.”

Several items are found in the Town’s Accounts in connection with the Duke and the military :—

1746, April 10.—“By 32 lb. Candle to his Royal Highness the Duke of Cumberland’s guards, £10 8s.

April 10.—“By cash to the Town’s Officers for burying a spy that was execute, 24s.

April 15.—“By cash to the soldiers to drink being the Duke’s birthday, £12 12s. By do. to drummers, 18s. By 1 lb. white candle for illuminating the Town House, 6s. 6d. By 7 stone coals for the bonfire at the Cross and 2 stone brunt in the Councilhouse, 13s. 6d.

“By two dozen nine botles claret sent to the Town house on the Duke’s birthday at 17s. per dozen, £28 1s.

April 18.—“By 7 stone coals for a bonfire at the Cross and 2 loads peats on receiving the news of the Duke’s victory over the Rebels at

* Robert Innes was then Town Clerk.

Colloden, 12s. 6d. By 2 stone coals burnt in the Councillhouse, 3s. By cash to the soldiers to drink, by the Provost's order, £12 12s. By candle to their guards at nights, 2s. *

April 30.—"By cash paid for powder to the soldiers on the Duke's birthnight, £1 5s. 6d. By cash paid a baker for bread to the Rebell prisoners, £6 6s.

May 4.—"By candle to the soldier's guard from 4th May to 16th August 27 lb. 4 oz. at 6s. 6d., £8 17s. By ale the Provost ordered the soldiers to get on the Duke's birthnight, £3.

1747, April 15.—"By 24 bottles claret at 13s. per bottle when the Magistrats were in the Townhouse on the Duke's birthday, £15 12s. By 1½ anker ale at 3s. per pint for the soldiers, £4 10s. By 2 lib. candle for illuminating the Town house, 10s.

1749.—"By 1½ ankers ale to the soldiers.

1749.—"By 2 dales for mending Treen-mare for the soldiers, £1 14s. By nails and workmanship of do., 16s." †

For many years after Culloden companies of soldiers continued to be stationed in the town. ‡ A guard-house and sentry-boxes were erected for them in 1746. The Town erected the guard house, supplying therefor 100 bolls lime at 5s. 6d., 128 loads clay at 8d., 5000 slates from the Oyns, £10, &c. The masons for their work and drink received £32 8s., the barrowmen £21 12s., &c. § The military had also an hospital situated about the Seatown. In 1747 the town's drummer received 12s.

* Compare Cullen Burgh Accounts :—

1746, April 16.—"3 bottles best claret spent on the Duke of Cumberland's birthday, £3.

1746, April 18.—"13 bottles best claret (and 4 wine glasses) spent on getting the news of the Duke of Cumberland's victory, £13 16s.

1746.—"Paid £2 8s. 8d. as the price of 24 pynts of ale ordered to the Cross in April."

† Cf. "Spalding's Troubles":—"1640. Munro causes put up betwixt the Crosses [of Aberdeen] a timber mare whereon runagate knaves and runaway soldiers should ride. Uncouth to see such discipline in Aberdeen and painful for the trespasser to suffer!"

‡ Among soldiers of lesser fame was General Wolfe, the hero of Quebec. A letter written by him, dated "Banff, June 9, 1751," eleven pages in length, and addressed to Captain, afterwards Lieut.-Col., Rickson, is now in the Antiquarian Museum, Edinburgh. Wolfe, although then only 24 years of age, had already seen service at Dettingen, Falkirk, Culloden, &c. He was probably presented with the freedom of the burgh as was then customary, but the records of that time are imperfectly preserved.

§ The guard-house was removed in 1757 and a new one erected at a cost of £14 16s. 1d. The house No. 19, near the top of Bridge Street, on the north side, was occupied as the guard-house." ("Banff and Neighbourhood.") See T.C., 1746.

for "divoting the soldiers' hospitall." * The town supplied fire and light to the soldiers, *e.g.* : "By 54 loads of peats from 1st to 28th Nov. at 2 loads per night at 2s. per load, £5 8s. By 15 lib. candles from 10th Feb. to 11th March at $\frac{1}{2}$ lib. per night, £4 10s." This was felt to be a grievance, and on 1st Sept., 1746, the town addressed their Agent on the matter : "We have no less than five companies of soldiers quartered here, who are to remain all winter. Their Colonel orders the town to provide coall and candle for their guards. We have meantime complied, but as we have little or no coall here and the fraughts being so high it would be a very great charge to make a suitable provision for fire and would do more than exhaust all our Common Good." They added that as they were extremely lucky in having Col. Dejeans to command there, who was a most discreet, fine, gentleman, they would not like to refuse anything incumbent on them. A reply was received next year that the Lord Advocate knew of no law compelling the town to pay these charges, only the inhabitants were obliged to allow the common soldiers the use of their kitchen fire, or such as is common to their servants, and the officers, if they demanded it, were to be allowed the use of such fire as the landlord or landlady had for themselves, but if either officers or soldiers demanded a fire in a separate room they had to pay for it.

A letter of date 16th May, 1746, from the Lord Justice Clerk was received by the Magistrates anent the rebels in their prison, requiring "an exact list of the persons that are in custody on account of the Rebellion, with an account of the proofs and evidence that can be brought against them." The Magistrates replied that they, with the Sheriff-Deputes and Lieut.-Col. Jackson, presently commanding at Banff, had called before them and examined the several prisoners in their Tolbooth committed on suspicion on being concerned in the Rebellion, and that they now returned a list of their names, designations, places of abode, the corps in the rebel army in which they served, with their confessions, &c., and that all the prisoners were carried off to Aberdeen on 29th May.

From a list † of persons concerned in the Rebellion transmitted by Mr.

* 1757. Expended by the town "for building, &c., an Hospitall upon the Seatown Craigs for the convenience and accommodation of the sick of the military."

† This list, a copy of part of which appeared in some northern newspapers, the writer obtained, he understands, from the Record Office. It seems to differ in no material respect from the general list subsequently published by the Scottish History Society.

John Stuart, then Supervisor of Excise at Banff, the following appear from Banff:—

- (1) George Abernethie,* merchant and magistrate, captain, assisted and collected money, now prisoner at Carlisle.
- (2) Angus Campbell, carrier, private man.
- (3) John Duff, baxter, private man.
- (4) Robert Frazer, carrier and horsehirer, private man.
- (5) Humphry Grant, weaver, a lieutenant in the Duke of Perth's Regiment.
- (6) George Hay, y^r of Mountblairry, volunteer.
- (7) Alexander M'Rae, an idler, became a lieutenant.
- (8) Thomas Marr, mason, a private man.
- (9) Walter Ogilvie, writer, an officer in Rebel army, now prisoner at Carlisle.

The list shows 3 persons from Down, 17 from Keith, 12 from Portsoy, 7 from Cullen, &c. About 26 landed proprietors of this district joined in the Rebellion, of whom more than one-half were Gordons.

Among the Documents connected with the Management of Estates forfeited by the Rebellion of 1745, and now in the General Register House, Edinburgh, are those of George Abernethy, merchant in Banff.

No better illustration could be afforded of the perils that beset the defeated of Culloden than what may be gathered from the "Memoirs of the Chevalier de Johnstone," translated by Mr. C. Winchester. The local references form the excuse for the somewhat long extract from the interesting narrative. The Chevalier was desirous of proceeding to Banff, where his brother-in-law, Lord Rollo, was established, as he hoped by his means to find an opportunity of passing beyond sea.

"We arrived in the county of Banff the fourth day of our departure from Rothiemurchus, where it became necessary for us to separate—the populace being all Calvinists, and violent against the House of Stuart. Having lodged the next night at the house of Mr. Stuart, the Presbyterian minister, but a very good man, and secretly in the interest

* Ray observes that in approaching the town of Banff on his way north "I past by Dr. Abernethy's house, who was made prisoner at Carlisle, and, as I have been informed since, was condemned to die at London, but reprieved for a time, during which he fell sick and died at a messenger's house." A biographical note in "List of Rebels" (Scott. Hist. Soc.) states that Dr. Abernethy's wife was Elizabeth Forbes, who claimed upon his forfeited estate her liferent of a house in Banff, and that he died in April, 1747, and was buried in the Churchyard of St. Margaret's, Westminster.

of Prince Edward, on rising in the morning I exchanged my clothes of the Highland garb with his servant for an old peasant dress, all in rags, offensive to the smell, and in appearance as if it had not been in use for many years, nor since it had cleaned his master's stables ; for it had the smell of dung to be felt at a distance. I made a complete exchange with him even to stockings and shoes, in every one of which, however, he found his account, and I much more than he, with these tatters, which were calculated to assist in saving my life. Thus metamorphosed, we took leave of one another, every one separating and taking a different route. M. the Chevalier Gordon advised me to go and sleep in his house at Park. I followed his advice the more willingly that, his house not being but a league and a half from Banff, I was approaching towards having an interview with my brother-in-law Rollo, but not without dread that some of the detachments they had in that quarter might be sent to search for and apprehend the Chevalier Gordon, who was a near relative of the Duke of Gordon, and might be able to make me prisoner at his place. I found Mrs. Menzies, his cousin-german, in his house—a most amiable lady, full of spirit and good sense ; and I had passed some time very agreeably in her company in the house of Mr. Duff, Provost of Banff, a house the most respectable and the most amiable that I have ever known in my life, and quitted their charming society with the greatest regret possible to rejoin our army at Inverness. Madame told me that there were in the town of Banff four hundred men of the English troops ; and she exhorted me strongly not to expose myself by going there. But as an interview with my brother-in-law was my only hope of being able to save myself in a distant land, I determined to go contrary to her advice, and I departed the next day on foot from the house of the Chevalier Gordon, towards nine o'clock at night, leaving my horse there till my return. I met, on entering the town, many English soldiers, who took not the least notice of me, which gave me the most favourable augury of my peasant's disguise, for my clothes were so bad the poorest beggar would have blushed to have carried them on his back. Then my blood boiled in my veins at the sight of these soldiers, whom I regarded as the authors of the pains and misery which I began to feel ; and I was not able to allow myself to fix my eyes upon them but with rage and my soul full of fury. I continued my way, praying fervently to the Supreme Being to grant us once more only one single opportunity of

avenging ourselves of their cruelties at Culloden, and that I would thus die tranquil and satisfied—prayers which in appearance were never granted.

"I went straight to the house of Mr. Duff, where I had been so agreeable so little time before. He was secretly a partisan of the Prince, but, prudent and discreet, he did not declare his way of thinking but to his friends. He was the most amiable man in the world, endowed with all the good qualities possible, and of real merit. He has the most equable character, pleasant, gay, enjoying great good sense, judgment, spirit, and discernment. Mrs. Duff, his spouse, resembled in every respect the character of her husband; and their two daughters, of whom the youngest sister was a dazzling beauty, were exact copies of their father and mother. Everybody in the house had but one way of thinking, and it was the most delicious society, that I regretted leaving as long as I lived. The maid-servant who opened the door for me did not recognise me on account of the oddity of my disguise. I told her that I was charged with a letter for her master, to be delivered into his own hands, and I begged her to inform him of it. Mr. Duff descended, and at first did not recognise me more than his maid-servant; but, having fixed his eyes upon me for a moment, a torrent of tears succeeded his surprise. He exhorted his servant strongly to be faithful in guarding the secret. Mrs. Duff and their daughters being gone to bed, he conducted me into a chamber, and sent, upon the instant, his servant to find out my brother-in-law, who had not returned to his house, and all the inquiries that could be made to find him were fruitless. My sister was still at the house of her father-in-law, Lord Rollo, at Duncraib, as it was not long that he had held his charge at Banff. My intention not being to sleep there if I should be able to find my brother-in-law immediately, and ascertain if I could hope for his services in a moment so critical for me—the neighbourhood of soldiers having too greatly disturbed me to be able to be tranquil, without fear at every instant of being discovered—I had resolved to leave Banff before day, to return to the Castle of the Chevalier Gordon. Mr. Duff returned at one o'clock in the morning, and I then went to bed, without being able to shut my eyes.

"I arose as soon as the day began to appear, and resumed the tattered demalions. Seated in an arm-chair, with my eyes fixed on the fire,

in a deep reverie, and plunged in an abyss of reflections, which my situation furnished me with in abundance, suddenly the maid-servant entered, and rushed by into my apartment, announcing to me that I was lost, and that the courtyard of the house was full of soldiers to seize me. Less than that sufficed to rouse me from my abstractions. I looked up at the window, and saw actually the soldiers in the courtyard, as the servant had told me. Thus convinced ocularly of my misfortune, I returned to the arm-chair full of resignation, regarding myself as a man who should shortly end his days. I conjectured immediately that it was the servant who had betrayed me, having some soldier for a lover, as is generally the case. There remained but a feeble spark of hope of my being able to make my way through the soldiers, with one of my pistols in each hand ; and I kept my eyes always fixed upon the door of the chamber, in order to rush upon the soldiers as a lion the moment I saw them appear. Miserable resource ! in which I had but little confidence to rely on ; but this was the last resort. Having passed about a quarter of an hour in these violent agitations, at last the door of my chamber flew open, and I rushed with precipitation to attack them. But what a surprise ! In place of the soldiers, I espied the beautiful and adorable Miss Duff, the younger sister, out of breath, who came as a guardian angel to inform me not to be any longer disturbed ; that it was nothing more than the soldiers who were fighting among themselves ; that they had entered the court to conceal themselves from their officers ; and that their quarrel having exploded itself in a few fisticuffs, they had left the courtyard together. She was of rare beauty, and was not more than eighteen years of age. I seized her in my arms, pressed her to my bosom, and gave her a thousand tender embraces from the bottom of my heart. In an instant the whole house was assembled in my chamber to congratulate me upon my deliverance—the noise of the soldiers having made every one rise, and it was scarcely six o'clock in the morning. Convinced of the sincere friendship and esteem of all this amiable family, one of my great solitudes during this adventure was that, through their too great anxiety for me, some one of them might be apt to betray me innocently, had it not been for Mr. Duff, by whom I was reassured from his coolness and presence of mind.

“My brother-in-law came to see me the moment after this alarm. He made me all the protestations possible of friendship, at the same

time that he excused himself for not being able to contribute by any means to afford me an opportunity of embarking for a foreign land, all the vessels at Banff being strictly inspected before their departure by the different officers of Government ; and he advised me very strongly to retire into the mountainous districts as the only course to adopt. I confess that I was indignant at him, the more so that he was under obligations to me without number. I answered him that I had no need of his counsels, but his services. He took himself off, after having staid a quarter of an hour with me as upon nettles, and I have never seen him since, or had any accounts of him. He knew all the captains of merchant vessels at Banff, so that if he had been willing to serve me, he could have certainly found some one of the number who could have taken me into his vessel disguised as a sailor, which would have saved me an infinitude of pains, and sufferings the most cruel, which I endured before being saved."

After many difficulties and dangers the Chevalier found his way to London, whence he escaped to Holland. Thereafter he entered the French service, and proceeded to Canada.

EXTRACTS FROM THE BURGH COURT BOOK.

1650.

February 16.—“[The burgh being liable for securing and putting forth certain horse and foot in the levy appointed to be secured for by the Parliament and Committee of Estates, ordain that, on the first notice of the outputting of the levy, stenters shall be chosen to stent for the same.

February 19.—“ John Gordon, merchant, supplicates the magistrates for relief, he having become cautioner for John Rob in Keith, forestaller] the said Johne being the tyme of the granting of the band powerfull and able to satisfie the samen and trew it is that the tyme of thir lait troubles the said Johne Rob was for his affectione to the guid caus continuallie and at all ocasioness so plundered and herried be the enemie as thay come in the feildes that thairby the said Johne Rob is now made altogether unable to subsist much less to liberate the said supplicant.”

[The Magistrates mitigate the fine of 40 merks to 20 merks. No entries in the Court Book from 19th March, 1650, to 10th July, 1652.

1652.

July 10.—Patrick Neill, the last Town Clerk, went away with the Town's Cess, amounting to 560 merks. Twenty horse were quartering on the burgh, and the Magistrates order Patrick Neill's goods and gear to be arrested.

November 16.—Alexander Williamsone in Ardonald, fined £20 for forestalling.

December 3.—Agnes Hay, vagabond, confessed “steilling ane blak gown out of Beatrix M'Allane's hous” after drink. For her relief she bound herself never to enter the burgh again under pain of banishment and burning on the cheek, and she was ordered “to remove furthe of the liberties of this burghe be the hangman.”

1653.

March 12.—James Ardes and William Lourie "for blooding ilk ane wtheris" are fined £5 and £10 respectively.]

April 5.—"It is statut and ordanit that all havaris and keiperis of swyn mak the toun frie of said swyn within fyftein days. [The inhabitants complained that some kept swine] in thair nighbors yairdis cutting and distroyeing thair cornes casting thair kell and distroying thair cornes both in yairdis and feild.

"[Johne Ewin becomes cautioner for Susan Hill] under the failyie of fourtie pundis [she being warded] for keiping of ane publict hous for resaiting of whoris and evill companie and all such personis as ar lewdlie inclyned.

June 7.—"Act anent thois that goes in landward in tyme of harvest and fies themselves [returning to the burgh again in winter] whairby the inhabitantis of this burgh ar burdingit with unnecessar personis not haveing peittis nor kell to leave on. [They are ordered to remain within the burgh and serve for meat and wages according to the accustomed form.

"Alexander Douglas of Durnes, Sheriff principal of Aberdeen and Banffschyres produces an equie of all byganes from the Convention of Burghs and a discharge from the College of Aberdeen preceding Martinmas, 1652, with the extract of the decreet obtained by the College of Aberdeen against the burgh of Banff.] The Magistrats and Counsell thought verie weill of and did render the said Mr. Alexander Douglas many thanks for his painis and cair tacken in thair bussines and did give ordor for payment of his debursements which is four scoir eleven merkis.

October 11.—"The Magistratis and Counsell ordained Gilbert Mair thesaurer to give Arthour Kellie executioner monthlie sixe schillinges aucht pennies.

October 18.—"The Magistratis and Counsell hes ordanit all persones that hes any middingis lyeing in or about my Lord Banffis hous and yaird that they tak the samen away within aucht dayes that the saids places may be keipit frie and cleine for the vse of the fairis and weeklie marcat. [The 'customer' is empowered after that time] to carie the samen away for his awin vse."

November 8.—[Patrick Neill did go off with the cess, and Robert Honnetoun, (?) collector of the shire, did quarter 20 horsemen on the burgh till the Magistrates were forced to borrow money and pay it, and the corporal that was at the head of the party exacted from the Magistrates £63 of riding money, besides eight days' free quarter. Patrick Neill has now returned and restored the cess. The Magistrates ordain him to pay also the said £63.]

1654.

January 21.—“Anent the puting up of ane dyk about the Nether Gooshauche. [The Council grant liberty to John Gordon but for this year only] to tak fail and cast the same with flauchter spais in the salt loches and comontie keeping always within ten foot of the said dyk [and this liberty is granted only] as ane courtesie to the said John Gordone for mending the new dykis this yeir onlie.

June 22.—[The Magistrates leet four persons and appoint Friday next for the whole burgesses and inhabitants choosing one of the foresaid as Commissioner for keeping the Convention of Burghs.]

October 17.—“The quhilk day Gilbert Mair [and others] wer ordanit to goe throw the toun and collect the contributione for the King's wall.

November 4.—“Alexander Fraser fined £50 as wnder clud and silence of night he did cum to Patrick Pirie his hous and wund him with ane durk to the effusione of his blood in great quantitie.

December 26.—“The magistratis and counsell in refference to the Act reffered to them be the minister and elderis of the sessione of the burgh of Banff anent the cognosceing upon the proces led be the saids minister and elderis against Cristane Cumming finds the said Cristane most guiltie and worthe of condigne punishement and thairfor hes ordanit her within tuentie four hours (eftir her obedience of the Kirk censure and her repentance ordanit be minister and elderis) to be banished be the hand of the hangman furth of the liberties of the said burghe and never to come within the samen againe wnder the paine of ane hundreth pundis and such punishement of her persone as the magistrats and counsell sall think fitting.”

1655.

January 9.—“The magistratis and counsell gives power and warrand to James Smith to edifie and build ane stair and passage to the forgait

for accomodatione of his new hous, the said stair not exceeding threttie sexe inches to the forgait.

December 4.—“[The procurator-fiscal complains] of the great profaneing of the Lordis day and breache of the Sabothe be the inhabitantis in gathering of wair on the Sabothe night and convening for gathering sometyme be aucht houris at night and sometyme be ten houris quhairthrowe great abuse hes beine in tymes bygain. [It is forbidden to gather ware] efter seting of the sone on Saturday till Monday that the sone be risene againe. [Contraveners are to be warded, fined in their means, and punished in their persons by the magistrates] by and attour suche censur as salbe imposit wpon them be the church.

May 5.—“[William Thomson and several others engage that they shall not be] fund in any manes cornes, backis, nor grass wnder the faillye of tuentie pundis.

June 16.—“[Patrick Stewart chosen Commissioner for the Convention of Burghs and allowed 14 merks] for being his charges by and attour the missive deves.”

1656.

November 25.—“The magistrats and counsell hes statut and ordanit that na person nor persones brak any pairt of the calsey in diging walis thairin for watter and in speciall that pairt called Daes Wall and heirefter that no persone be fund draweing watter in the said Daes Wall wnder the faillye of fourtie shillingis and statutis and ordanis that the watter that comes from the heid of the toun sall have it constant passage doune the Bak Paith quhair it ran of old and that the settaris of the said watter doun the Mid Paithe be poyndit for 40s.”

1657.

March 10.—“It is statut that no brewer nor ailhouskeiper within this burgh resaitt no manis servants within thair houses nor sell them drink efter sevin houris at night nather Saboth day nor work day nor suffer them to remane within thair houses efter the said hour [under the penalty of £5] by and attour the punishement of thair personis. [The servants also to be punished in their persons and means. The bellman to make intimation thereof.]”

1658.

February 23.—“John Hendersone, servitor to David Cock, being wardit within the tolbuith for his miscariage in the churche and towards the civill magistrate the magistrats ordaines the said Johne to give satisfactione to the discipline of the churche befor the pulpit on his knees in ane publick way and for his miscariage towards the magistratis to be taikin to the wpper tolbuith in presence of ane magistrat and thair to be soundlie whippit be tua officeris till the said magistrat be satisfied. February 24.—Joⁿ Hendersone wes punished in the wpper tolbuith in presence of Robert Hamiltoun, bailye.

May 6.—“Alexander Fraser, messenger, being wardit for braking of ane stoup full of beir cumeing to Margrat Mills hous with hir servant to the Englismen and the cornal and quartermaister complaining thairon he is fyned £20 and to give ane new stoup to Margrat Mill.

June 2.—“The dittay of Gilbert Blak and his convictione be ane assyse and banishment: Thou art indyttit as ane theiff in comeing to Mr. Walter Forbes hous within my Lord Airlies cloise wpone Sondag the sevint day of Merche last and in time of the efternoonnes sermone did enter the turnepyk and brak wp Mr. Poull his chalmer dor (himself and his servantis being at sermon) quha wes clerk and receaver of the moneyis for payment of Captane Empsone troupe thair lyeing at thair quarter in Banff. And efter thou haid entered the said chalmer thoue brak wp ane of the dors of the prese within the said chalmer and tuik furth thair of four bages of money which the said Mr. Poull had receavit for the vse of the troupe and tuik the samen away with thee as thy confessione doeth testifie and declair. [He is condemned to immediate banishment from the burgh and shire, and his wife and family are removed from the burgh and shire.]

June 29.—“Margrat Tailyor americiat in £50 for blooding of Allan Brig.

July 20.—“[Margrat Tailyor and Margrat Schirra banished from the burgh] for thair uncivill cariage.

September 17.—“It is statut and ordanit that noe persone nor persones resett any victuall in thair houses that comes to the said burghe to be sold but that they sall acquaint the customer.”

December 16.—[John Osburn, guilty of drunkenness and abusing of his wife and sister, consents to the banishment of himself and family should he transgress again.]

1659.

March 9.—“It is statut and ordanit that all laborers of land within the liberties of this burghe that has ane quarteris saweing saw this yeir and in tymes cumeing ane pek of pease and so furthe proportionallie under the failye of three pundis. Everie mane to be comptable for his childring and servantis that they doe not meddle nor away tak any manes pease.

October 8.—“[Absents from the Head Court are fined 40s. each among whom were]: The Erle of Airlie, My Lord Ogiluye, My Lord Banf, Walter Ogiluye of Boyne, James Baird of Auchmedden, Johne Lyone of Muireisk, Alexander Urquhart of Dunlugus, William Ord of Findochtie, &c.

“At Banff the sevint day of November the yeir of God 1659 yeiris. The quhilk day in presence of the magistrats and counsell of the said burghe and of William Leslie of Burdbank and John Ogiluye, comissioneris from the borrowe of Cullen the letter underwreittin direct to the saids borrowes of Banf and Cullen be my Lord Generall Monck wes publicklye read wherof the tennor followes: Gentlemen, I desyre yow will be pleased to aggrie amongst your selfis to send ane of your number to meit with me heir at Edr the fyifteint day of November becaus I have ane especiall occasione to speik with them about some effairis that concerne the countrie at this tyme which is all at present from your very loueing freind and servand. Daitit at Edr the 27 October 1659. Subscryvit thus George Monck.

“[Robert Sharp, Sheriff Clerk of Banff, chosen Commissioner], and allowes him dayly during his absence the sowme of thrie pundis Scotis for bearing his charges.”

1660.

April 17.—“[James, Lord Ogilvy, supplicates the Council that as] be the floweing of the sea ane great pairt arable ground of the Nether Dalhauche pertaining to me is muche prejudgit and wilbe altogidder maid vseles if dykis be not edified for resisting the same [therefore he

asks liberty to cast as much ground upon the Salt Lochs of the Commonty as will build the same. He receives liberty] for this yeir onlie to cast fail with flaughter spaidis in the Salt Loches and Comontie of the burgh.

[Two of the Town Council can sign only by their initials, W. P. and I. S.—William Paterson, merchant, and James Smith.]

"The rait of the custome of the burghe of Banff 21 February, 1660, and ordanit to be wptakin be the Customer.

"Imprimis for everie last of goods importit or exported be wnfriemen, 20s.

"Item for every chalder of beir, meill, malt, quhyt, oatis, importit or exportit be frie and wnfriemen, 5s.

"Item for everie last of salmond exportit, 12s.

"Item for everie loadining of Murray timber importit be wnfriemen ane fyft trie the best in the loadining.

"Item for everie daiker of lether importit and exportit be wnfriemen, 6s. 8d.

"Item for everie Pennen milston importit, 6s. 8d.

" " Murray milston importit, 4s.

" " lairston importit and exportit, 4s.

" " tua tap weshell of anchorage, 10s.

" " on tap weshell and jurie mast bark, 6s. 8d.

" " oppin boit of anchorage, 3s. 4d.

" ane load of cloth of quhatsomever sort, 3s. 4d.

" " " timber, 2s. 6d.

" " " bark, 1s.

" " cart, 1s.

" " pair of weillis, 4d.

" " load of fisches, 1s.

" " burding of fisches not being within fyve dissone, 4d.

" " boll of fruit, 2s.

" " barkit hyd, 8d.

" ilk pair of schone, 2d.

" ane web of cloth lineing or wooll of tuentie elnes, 1s.

" being within the said lenth, 8d.

" ane web of small lineing, 1s. 4d.

" " hewed plaid, 1s.

" Item for ane comone plaid, 8d.

" " merchant pak of tua hundreth merkis of pryce, 2s.

" " pak within the said pryce, 1s.

" " chapman's pak of les worthe, 6d.

" " black smithes stand, 8d.

" " load of wright work, 2s.

" " " cuper croft, 2s.

" the stone of wooll, 8d.

" " " cheise, 4d.

" " " butter, 8d.

" " " tallone, 8d.

" ane horse, 1s.

" " load of lint, hemp, hardis, and cards, 3s. 4d.

" " burding of fruit, 4d.

" " loading of piges, 8d.

" " barrell of salmond fishes, 1s.

" " carkische of beif, 8d.

" " " of mutton, 4d.

" Item everie loading of salt importit be wnfriemen ane fyft boll of salt.

" Item everie loading of Norway daillis importit be wnfriemen thrie daillis.

" Item everie loading of Norway timber tries and daillis importit be wnfriemen ane trie and tua daillis.

" Item for the libertie of the watter met to be payit be friemen and wnfriemen at the schoir and within thair buithes tua pennies.

" Item for everie dissonne of friestone for dores windowes and lintellis brocht within the watter of Banff, 4s.

" Item for everie boit full of mussells ane pek or pryce thairof.

" Item ane boll meill ane quarter of ane pek or pryce thairof.

" Item everie tun of wyn importit, 8s.

September 7.—" The proclamatioun ishued furthe be the Comittie of Estats of the dait the 24 August, 1660, subscrivit be Glencarne, chancellor, against wnlawfull or wnwarranble mettingis wes proclaimed at the marcat croce of Banff be Harie Howat serjand. Witnesses John and Alex^r Cuies burgesses.

October 9.—" The proclamatioun of the dait at Ed^r the 20 Sept.,

1660, anent seditious railleris and wtheris civill or ecclesiastical against the Kingis majestie and governement wes proclaimed at Banf be Harie Howat serjand."

1661.

September 21.—"Copy of the Oath of Alleadgance :—

"I A. B. for testificatione of my faithfull obedience to my most gracious and redoubted Soveraigne Charles King of Great Britane France and Irland defender of the faith &c. affirme, testifie and declare by this my solemne oath that I acknowledge my said Soveraigne onlie supream governour of this kingdome over all personis and in all causes and that no forraigne prince, power, state, or persone civill or eclesiastick hath any jurisdictione power or superioritie over the samen. And thairfore I doe vtterlie renunce and forsake all forraigne power jurisdictiones and authorities and sall at the out most power defend, assist and mantaine his maiesties jurisdictione forsaid and sall never declyne his maiesties power and jurisdictione as I sall answer to God."*

* The following were the Oaths usually taken a century later (1762) :—

"*The Oath of Alleadgance.*

"I do sincerely promise and swear that I will be faithfull and bear true alledgance to his Majestie King George the Third. So help me God."

"*The Assurance.*

"I doe in the sincerity of my heart acknowledge and declare that his Majestie King George the Third is the only Lafull undoubted Sovereign of this Realm Also well De jure That is of Right King as De facto That is in possession and exercise of the Government And therefore I do sincerely promise and engage that I will with heart and hand Life and Goods maintain and Defend his Majesties Title and Government against the person pretending to be Prince of Wales During the Life of the late King James and since his decease pretending to be and taking upon himself The Stile and Title of King of England by the Name of James the Third or of Scotland by the Name of James the Eight or the Stile and Title of King of Great Britain and all other enemies whom either by open or secret Attempts shall disturb or disquiet his Majesty in Possession or exercise thereof."

"*The Oath of Adjuration.*

"I do truly and sincerely acknowledge profess Testify and Declare in my conscience before God and the World that our Sovereign Lord King George the Third is lafull and rightfull King of Great Britain and all other his Majesties Dominions and Countreys thereto belonging And Do Solemnly and Sincerely Declare That I do believe in my conscience that the person pretending to be the Prince of Wales during the life of the late King James and since his decease pretending to be and taking upon himself the Stile and Title of King of England by the name of James the Third or of Scotland by the name of James the Eight or the Stile and Title of King of Great Britain Hath not any right or Title whatsoever to the crown of this realm or any other the

November 1.—[Councillors absent without relevant excuse from meetings to be fined 13s. 4d.]

November 7.—Gilbert Mair obliges himself never to trouble nor summon any person before the Lords of the Council till he shall acquaint the Magistrates of the burgh, that they may hear both parties and be judge between them.]

1662.

January 24.—“George Wilson for stealing some bridles and stirrups is ordained to be publictlie scurgit throue the haill streittis of the toun and banished without the liberties thair of and never to be fund within the said burgh nor liberties thair of at no tyme heirefter, wnder the paine of deathe, and to be hangit without mercie.

March 3.—“Margrat Gray, spous to William Broune, carpenter, for scalding railling and abuisseing of Issobell Greige, relict of John Ogiluye, in calling her Jad and queyn and offering to strik her with stones is ordanit to remain in ward till forder ordor. [The said day her husband becomes cautioner for her] and at the sight of tuo or thrie honest men she is to give obedience and satisfacione in homage to Issobell Greige.

March 22.—“[John Dick, servitor to William Innes, brother to the Laird of Innes, being warded] for taking the ferrieboit at his awne hand and haid almost lost his lyiff in the mouthe and lost the boit also, for his relief out of prisone the said Dick inacted and obleist himself never to doe the lyk againe.

Dominions thereunto belonging and I do Renounce Refuse and Abjure any alledgence or obedience to him and I do swear that I will bear faithfull and true alledgiance to his Majesty King George the Third and him will Defend to the utmost of my power against all treacherous conspiracies and attempts whatsoever which shall be made against his person crown or dignity and I will doe my utmost endeavour to disclose and make known to his Majesty and successors all treasons and treacherous conspiracies which I shall know to be against him or any of them and I do faithfully promise to the utmost of my Power to support maintain and defend the succession of the Crown against them the said James and all other persons whatsoever which by an Act intituled An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the subjects is and stands limited to the Princess Sophia Electress and Duchess Dowager of Hanover and the heirs of her body being Protestants and all these things I do plainly and sincerely acknowledge and swear according to these express words by me spoken and according to the plain and common sense and understanding of the same without any equivocation mentall evasion or secret reservation whatsoever and I do make the Recognition acknowledgement and abjuration renunciation and promise heartily willingly and sincerely upon the true faith of a Christian. So help me God.”

U

March 24.—“The magistratis and counsell ordanit George Myntie present thesaurer to give to Arthour Kellie, executioner, half ane pek of meill weiklie and ordanis the said Arthour Kellie to get ane peit of ilk laid of peittis that comes to this burghe to be sold and ane hadock or quhytting of ilk skull at the schoir that is tackin be the fisheris.

April 29.—“Mariorie Pilmoir,* spouse to Alexander Ord, having been divers tymes wardit for her scolding and cursing of her nighboris and for her vncivill cariage within this burghe in divers thingis not incumbent to ane civill Christiane now inacts herself to remove furthe of this burghe and never to come within the samen againe nor within tuelff myllis thair of under the paine of deathe, and did willinglie subscriyve this act of banishment.

November 21.—“Compeired Mr. Alexander Seatoun, minister of God's word, at Banff, and sheve and declaired that there is 100 merks mortified money in the handis of the airis of the deceist Alex^r Wynchester lait baillie, item 100 merkis mortifiet be William Lautie in Myrhous quhilk is in the handis of Jean and Elizabethe Lautie's, co-aris and executrices to the said deceist William Lautie thair father and that there is in the handis of Jo^a Gordone, burges, 250 merkis. [He applies to have these sums secured and the interest paid to him and his successors. By November 25th these sums are ‘stockit in the handis of the provest, baillies and counsell,’ who give a bond to that effect to Mr. A. Seaton.]

“At Banff the tuentie nynt day of November 1662 zeiris We, the vnder subscriyveris, provest, baillies, deane of gild, thesaurer, and counselloris of the burghe of Banf doe sincerlie affirme and declair that (conforme to the act of parliament emittit to the effect wnderwreittin we judge it wnlawfull to subjectis wpone pretence of reformatione or wther pretence quhatsomevir to enter in leagues and covenantis or to tak wp armes against the King or these comissionated by them, And that all these gatheringis, convocationis, petitionis, protestationis and erecting and kepeing of counsell tables that vsed in the begineing and for carieing on of the laitt troubles wer wnlawfull and seditious, and particularlie, that thes oathes whair of the one was comonlie callit the

* It was probably this same Marjorie who was “putt in the tollbooth” of Cullen “for scolding and railing,” and who was also “delait for using develish curiositie.” (“Church and Churchyard of Cullen,” p. 127.)

Nationall Covenant (as it wes sworne and explained in the yeir 1638, and thairefter), and the wther intituled a Soleme League and Covenant, wer and ar in themselfis wnlawfull oathes, and were tackin by, and imposit wpone, the subjectis of this kingdome against the fundamentall lawes and liberties of the same, and that thair lyeth no obligatione wpone ws or any of the subjectis from the saidis oathes or ather of them to endeavour any change or alteratione of the governement, aither in church or staitt, as it is now established by the lawes of the kingdome. Signed by James Baird, provest ; Ro. Hamilton, baley ; A. Ritchie, balyie ; John Duff, bailie ; J. Barclay, dean of gild ; Geo. Mintie, treasurer [and by 12 Councillors. The town clerk was authorized to sign in behalf of four other councillors 'scribere nescientes.']"

1663.

April 28.—"The magistratis and counsell being frequentlie mett have renewed Act anent the frequent meiting of the burgesses and inhabitants of the said burghe at buriells, and wther publict meitingis, with this addition, that quhatsoever persone, or persones, burgesses, and inhabitantis within the said burghe, that does not keip and attend thair magistratis at the saidis publict meittings (not haveing ane lauful excuse) ilk persone sall be poyndit for fourtie schillings Scots *toties quoties*.

"[The magistrates ordain] that no reid fischer, laborer nor kenner wpone the watter of Doverne sell any meat, fische or coble fische in quyet maner at the watter syd (except to thair awin maisteris) but bring them all to the marcat croce and sell the same thair opinlie.

May 5.—"[The inhabitants all agree] to give horses for leiding of stones and sand for building and erecting of new calsayes within the said burghe and helping and mending of the old.

May 20.—"[The town is to be stented for payment of the] calsay layeris and of the workmen for leiding of sand and stones, and the haill workmen within the toun that hes horse sall be ordanit to leid sand and stones and to be payit for thair travill everie Saturday at night.

"Baillie Duff is ordanit to tak the tounes eque in to Aberdeen and intimat the samen to the memberis of the Auld toun colledge.

June 19.—“[Patrick Stewart, town clerk, is paid £42 6s. 8d. as his charges for going to Parliament last year. He is again ordained to go south to Parliament, and George Myntie, thesaurer] to furnish him ane tounes horse to Dundie and to pay the hyre thair of.

August 28.—“The magistrats and counsell being frequentlie convenit ordaines Walter Stewart, deane of gild, to keip Keithe marcat nixt and to attend the said marcat and proclaime the same at ane certane hour and if any disorder be done thairin that the said deane of gild sall goe about the samen in ane peaceable and legall way and for the better effectuating of the bussines ordaines ane messenger or tua to attend him with thrie or four men of his awin chooseing and ordanes the said Walter Stewart to agrie with the saidis messengeris and ordaines the present thesaurer to pay the samen.

September 16.—“[At Banff before the Dean of Guild and his Council Robert Strachan, merchant in Keith, is fined £10] being challengit in Keithe marcat for some weights that wes to licht and not sufficient. His weights being now judicillie weightit his quarter wecht was fund ane vnce licht and his pund weight was fund tuelf drap licht.

October 12.—“[Alexander Pyper, burgess of Aberdeen, fined £20 by the Magistrates and dean of guild for having light weights at Keith market in 1662.] Ilk quarter weight wes fund to want ten drap. [Alexander Pyper also fined £20, he having become cautioner for Alexander Cushnie, burgess of Aberdeen, that he should produce him before the Magistrates of Banff for using light weights at Keith market in 1662, and the said Alexander Cushnie not having appeared.]”

1664.

April 13.—“The magistrats ordaines the haille inhabitantis quho ather byes or sellis wictuall to have ane sufficient measur ather firlat, pek, or lippie [and it is appointed that all the measures within the burgh be examined in the tolbooth by the dean of guild] and such mettis as are sufficient to be brunt with the tounes burne irne.

April 23.—“Such mettis as wer not sufficient wer presentlie brokin.

May 4.—“[The magistrates give orders] to mak ane meill firlat and beir firlat and pek and lippie to be keipit for the publick vse, the meill

firlat to conteine tuentie tua poyntis of watter and the pek to be maid conforme to the firlat, and the pek to be four lipies and the beir firlat to contein threttie tua poyntis of watter, and the customer to have 2s. for everie tua bollis meill and boll beir that salbe measured and 3s. 4d. for ilk chalder meill or beir.

June 8.—“The magistrats ordaines all the personis within the said burghe lyable in puting wp the kirkyaird dykis to build and put wp their proportionis of the samen under the failzie of 40s.”

1665.

July 14.—“[Robert Hamilton, bailie, commissioner to the Convention of Burghs, held at Aberdeen, is allowed 40s. *per diem* during his absence, which was for eight days.

July 14.—Two of the bailies are appointed to get from James Ogilvy of Reidhythe] the tounes evident of thair comontie that he hes.

September 18.—“The counsell hes ordanit James Ogiluye of Reidhythe to be convenit befor the Sheref for exhibitione of the tounes evident and all wther he haid, hes, or hes fraudulentlie put away, belangand to the burghe and friedome.”

1666.

April 3.—“The magistrats and counsell haveing tackin to thair consideration the great skaithe and prejudice done to the cornes within the liberties of the burghe be the swyn and geiss keiped be diverse personis, statutis and ordanis that the haill geiss and swyn be removit furthe of the burghe. Contraveners to be poyndit for aucht pundis.

May 28.—“The magistrats and counsell ordains the haill inhabitants to meit at the marcat croce the morne betuixt aucht and nyn houris in the fornoon in thair best armes for attending the magistrats and counsell at sermon and thaireftir to attend such solemnities for the kingis restauratione as is requisit conforme to the Act of Parliament.

October 6.—“[The Councillors] did elect the present provost Sir James Baird thair provest for the yeir enseweing, quho having laid down his bastoun and removit himself and being callit in againe acceptit of the said office and gave his aithe *de fidei administratione dicti officii*.”

1669.

July 24.—“ Thomas Ogiluye, baillie, being goeing southe is comissionated for the vse of the millitla to bring home to the toun tuelf muskatis with the bandaleiris. The Magistratis ordaines the thesaurer to by thrie scoir elnes of plaiding and caus wack and lit the samen reid to be coittis to the sojoris.”

1670.

January 18.—“ The magistratis and counsell finding and considdering that in tymes byganen barrones and gentlemen have screwed them selffis in the office of the magistracie and goverment of this burghe contrair the actis of Parliament and be the admitting of them to the saidis offices the comone good of the said burghe is dissipated, the liberties thair of muche infringed and the place redacted to great povertie ; for preventing such prejudices in efter tymes thairfor statut and ordain that the election of the magistratis of this burgh be maid conforme to the aucht Act of the Parliament of King James the Sext, that no persone be elected provest or baillies but such as be burgesses actuall residenteris and constant traffeckars and such personis as will tyne and win in all the effairis of the burghe.

August 24.—“ Alexander Morisone becomes cautioner that William Lowrie, younger, sall compeir before the minister and elders for his cariage within the kirk in tyme of divin service, as wes alledgit being drunk. [William Lowrie is meantime freed from prison.

November 1.—Thomas Gordon of Pittendreich escaped from the Tolbooth] be the sleuthe and neglect of James Black serjand quho haid the charge of the doors for the tyme [but was apprehended again. To prevent a like danger in future, it is ordered that two locks be put on the tolbooth door, besides the hanging lock. Of the two officers that keep the keys one is to attend the door in arms, and the other to go in to see the prisoners receive their diet. No person to have access to any prisoner without warrand from a magistrate and no person to enter the tolbooth with arms.]” *

* It was about this period that Alexander Jaffray of Kingswells was imprisoned for ten months in the jail of Banff. He had joined the Society of Friends at Aberdeen in 1662, and had increased their numbers and influence to such an extent that measures were resolved for their suppression. He had previously been Provost of Aberdeen. He died in 1673.

1671.

January 30.—[The treasurer is ordained to pay yearly to the Kirk officer for ringing of the bell, morning and evening, at nine hours at night and five hours in the morning, the sum of twenty merks.]

1675.

October 2.—“The Magistratis and Counsell ordaines the letters raisit at the instance of the magistratis and deane of gild against the toun of Cullane to be put to execution.”

[Court Book blank 1675-1736.]

1736.

September 18.—Several persons fined 12s. Sc., &c., for buying white fish within their own houses, or in other private places of the burgh, and not in the public market, in contravention of an Act of Council made 12th June last.

September 27.—“William Philp, workman, amerctat by the baillies in £20 Sc., for a relapse in fornication, payable to the pror.-fiscall. The woman Issobel Gairdn was fined £5 Sc.

November 9.—“[Wm. Philp and Issobel Gairdn having petitioned the bailies for mitigation of the above fines, and having represented that they had since been married together,] which lessned the fault, [the bailies mitigate the fines of both to £4 16s. Sc.]

September 28.—“In presence of James Innes, James Duff, and Geo. Abernethy, baillies : Which day John Peterkin, pror.-fiscal of the burgh, exhibited a complaint against Ferdinando Shuniman, organist in Banff, and Helen Sloss, semtress in Banff, as guilty of fornication with one another, and craved that each of them might be fined for the same in term of law. The defenders being summoned compeared, and the complaint being read unto them they judicially acknowledged the same. Signed : Ferd. Scheniman. Helen Sloss. The baillies having considered the above complaint with the judicial confession of the defender, they find the complaint thereby proven and therefore fine each of them in the

sum of ten pounds Scots money . . . with certification if they fail herein their persons will be summarily imprisoned."

December 13.—Charles Cruickshank fined £12 Sc. for selling merchant goods within this burgh, he not being a burghess thereof.

1737.

June 6.—Wm. Duff, tailor, fined £50 Sc. for beating and blooding Joseph Aiton, soldier in the Company of General Barrell's Regiment lying at Banff, and for beating and knocking down John Pain, another soldier in said Company.

1739.

February 22.—James Keith and Mary Smith fined by the bailies 4s. sterling for ante-nuptial fornication.

February 24.—John Smith fined £8 Sc. for fornication.

June 26.—John Duff fined £6 6 Sc. for do.*

July 6.—Arch. McDermet, mason at Lord Braco's work, fined £9 Sc. for do. Wm. Munro, merchant, fined 3 guineas for fornication with his servant, "but in regard of his good services about the harbour of Guthrie they modify the above fine to a guinea." The bailies order £6 Sc. of the last fine to be given in charity to two parties.

1740.

July 26.—"*Sundry riotous persons fin'd for carrying Ann Miln from her own house and causing her ride the stang.*" Nicol Copland, servant to Wm. Forbes, baker, and four other men, servants to shoemakers in Banff, and another, servant to a merchant, fined £6 Sc. each for their tumultuous and riotous assembling, and violently attacking Ann Miln, spouse to

* Many other similar cases occur about this period, and are met with in the Court Book until about the year 1770; in fact, there are probably few Burgh Court Books in Scotland that contain the record of so many cases, the jurisdiction of such generally lying with Kirk Sessions. The Scots Parliament passed many Acts thereanent—1567, 1581, 1645, 1649, 1661, 1696, &c. By Act of 1645 the Magistrates of Burghs were required to enforce the Acts for the restraint and punishment of vice, the fines being employed for pious uses. In 1659 the bailies of Cullen fined James Duff of Deipslack £100 for adultery with Helen Hay, and at the same time they also fined Nicol Hay, father of the said Helen Hay, £100. By Act of 1581 manifest adultery incurred the penalty of death.

Wm. Smith, sadler, and carrying her out of her own house and mounting her on a tree and carrying her through the streets of this burgh, and considering the midwife's report as to the state of Ann Miln's health, and the situation she is presently in, they ordain them to be imprisoned in the tolbooth, therein to remain until it be found she is out of danger.

1741.

March 9.—“James Lemmon, workman, accused of breaking yeards in the night time and stealing from thence large quantities of kaill, which kaill was produced in court.” The magistrates accept his offer of voluntary banishment from the burgh, and that he never return again under the penalty of being imprisoned and tried for the foresaid crime.

September 5.—The fines of Nicol Copland and several other apprentices (see *supra*) amounting to £30 Sc. to be passed, for reasons known to the Bailie sufficient for passing said fines.

September 11.—Margaret Grant, a vagabond, confesses stealing from James Milne in Boyndie a Bible out of his house, and from Wm. Taylor a pair men's stockings. The Magistrates “ordain her to be wheiped throw the streets of this burgh by the hands of the hangman and to be banished the town in all time comeing.”

1743.

February 8.—Elizabeth Smith and several others fined for a riot on 5th March, 1741, under cloud and silence of night, they having attacked the house of Thomas Murray for having “dearthed the flesh mercat by buying up some pork,” and having refused to disperse at the Bailie's orders. The mob was not dispersed till three or four o'clock in the morning. Elizabeth Smith was fined £100 Sc.

April 14.—James Cant in Achluncart, Mary Innes, his spouse, and Margaret and Isobell Cants, their daughters, presently prisoners within the tolbooth of Banff for an alleged burning of some corn stacks, having indentured themselves for transportation to His Majesty's plantations beyond seas in the West Indies, Thomas Forbes, merchant in Banff, becomes bound to produce receipts of their being shipped aboard of some

ship for that purpose betwixt the date hereof and the first day of May next to come. "If the country is free of them," write two J.P.'s, "its no matter in what way."

October 17.—Seven fishers (none of whom could sign their names) fined £6 Sc. each for boarding a ship in the Firth, which could give no reasonable accounts from whence she came, nor to what place bound, contrary to proclamations made prohibiting all fishers or others to go aboard of any vessels in case of the plague. [Names of fishers in the Seatown : Geo. Leall, And. Petrie, James Clerk, &c. Names of fishers in Down : Wm. Wilson, Alex. Lyall, Alex. Gill, &c.]

1744.

November 23.—John Lead in Achindaren fined £3 Sc. for offering to sell bad mutton.

1745.

January 22.—Part of the wreck of the Anne of Portsoy cast in on the Barr of Banff roup'd for £5 12s. Stg. for behoof of the Insure masters. The hides, leather, &c., cast ashore on the Barr roup'd for £14 12s. Stg.

1747.

January 26.—Alex. Clark, journeyman shoemaker, and several others fined £3 Sc. for causing Walter Elles, wheelwright, and James Cooper, blacksmith, ride the stang, carrying them through the whole burgh and thereby hurting and bruising them "contrair to all law and against the rules of a well-governed burgh."

1748.

December 10.—James Munro, merchant, guilty of fornication with his father's servant, fined £100 Sc.

EXTRACTS FROM MINUTES OF TOWN COUNCIL.

1674.

The fine for persons beating one another was about this time usually £50 Sc.

January 3.—The treasurer is ordered to collect the excise for the year and satisfy Robert Sharp for the same.

August 9.—“The brewers fatts to be gadgit and waitters appointed to visit weekly to see how much brewed and two merks to be exactit for every boll malt.”

September 22.—Within the tolbooth the Magistrats set in tack to Alexander Ritchie and six others “the excyse of all aill, and beir, aquavite, and strong watters, brown within the burgh,” from 1st May, 1674, to 1st May, 1675, for £11 Sc. per week, the payments to be made quarterly to Robert Sharp, Sheriff Clerk, Collector of Excise, thus relieving the Magistrates.

1675.

January 30.—“Our deir freind Ro. Scharp left in legacie to the toun fyve hundrethe marks moy. the annelrent to the present minister and his successoris.

“George Watstone in Quhythillis did expres ane bad expression not to be repeittit, and vilified the Magistrates and Council. He is fined £20 Sc., and ordained to lay down his burgess Act.”

1676.

October 7.—“The quhilk day the magistrats and counsell and inhabitants within the said brughe being frequentlie mett have be mutuall consent condiscendit and aggreet that ane new ferrie boit sall be buildit the next spring for serving of the Leidges and that wpoun the tounes charges and expenses with ane litill small boit for ferreing over foot people in tyme of necessitie.”

The Council ordain that the treasurer shall obtain yearly discharges from the College of Aberdeen of 19 merks, from the minister of Banff of 100 merks, from the Schoolmaster of Banff of £80 Sc., and from the Exchequer of Exchequer dues.

"The magistrats ordain that after 1st November, 1676, all the aill and beir browen within the burgh be sold for 16d. the pint, and the goodnes of the aill to be tryit be cunsteris."

It is agreed by the Magistrates and Council that the word *frater gilde*, used formerly in all burgess acts, be altered, and a difference made of frater gilde betwixt those made burgesses of guild, those made burgesses gratis, and those made burgesses of trade.

The Magistrates and Council having ordained that "the Kirk yaird dykis sould be rectifiet and bouldit of stone, the saidis dykis ar to be buildit and compleit wpoun the proper charges and expenses of the heretoris, and thos quho ar not heretors to be redie for leiding of stones and clay."

"It is statut and ordanit that all dunghills lyeing on the calsayis, streitis, and publict places be transportit and taikin away and the streittis to be maid frie of the samen. Contraveners to be poyndit for £4."

"The Magistratis and Counsell hes statut ane gild box to be erectit, and 20s. to be payit to the said box, and 6s. 8d. to the poors box by each burges quho enters be composition."

The Act anent burials renewed "that all burgesses sall be obleidgit to accompanie thair magistrats to buriallis, marcatis, and publict meitingis, as they sall requyre, wnder the failye of four pundis Scots."

None are to be made burgesses without the consent of the Council, and their payment to be "put to the comone good and wared on the comone warkis," conform to the 86th Act of the Parliament of James IV., excepting those made gratis.

"It is ordanit that the Laiche tolbuthe sall be reformed and ane chimney put thairin for accomodation of prisoneris, and siclyk, the wpper tolbuthe and benche thairof to be reformed."

October 17.—The heritors to be stented for £40 for building the kirkyard dykes.

October 24.—"Saturday nixt is appoyntit for rydding of the merchies and the samen to be intimat be tuck of drum, that all fremen be present wnder the paine of fourtie shillingis, as lykwayes the hiewayes is appoyntit to be visitted."

November 4.—“Alexr. Craig of Roscraig for dinging of Beatrix Hendrie in Seaton was americiat in £40 Sc.” [1677, January 27.—He is ordained to be put in prison till the fine is paid.]

1677.

January 27.—“John Williamson is admittit drumer and to be peyit 10 marks yeirlie with ane pair of schoon.

February 5.—“The Magistrats and Counsell have ordained that the townes Court shall hold weeklie on every Tuesday at ten aclock in the fornoone, and appoynts ilk ane of the four Bailies to sitt their month *per vices* and the eldest Bailie to preseid, and the bell to be rung at the hour appoynted. They also ordayne that evry Saturday at elevin aclock in the fornoone the counsell meitt about the townes affairs and the absent Counsellers (not having ane lawfull and reasonable excuse) to pay 12s. Sc. and halff a croune for evry Bailie that beis absent, and that each bailie during their month keep the great key of the laigh tolbuith.

February 9.—“No person to win stones in any places of the craigis betuix the boit heavin and the toune.”

February 12.—The Council to meet every Monday forenoon at 11 o'clock and absents, without lawful excuse, to be fined 6s. 8d., and the town's Court to be held weekly on Tuesday, at 10 o'clock, and the four bailies to sit a month each.

March 26.—The highways and marches to be visited on Saturday next.

June 25.—“Robert Michell in Cullynort* is decernit to pay £10 for his miscariag towards Peter Barclay and for stricking at the croce with ane drawin suord.”

June 26.—Alex. Craig produced a musket for the town's use, which he was obliged to do for his burgess Act.

September 8.—Meeting at Aberdeen on Tuesday next of the Commissioners anent the controversy betwixt Banff and Cullen.

“The magistratis and counsell ordaines all the beiffs that cumes to the mercat that the owneris thereof bring to the publict mercat the hydis, tallo, heid, and foot, and penches of the saidis beiffis, and the heid and

* Other forms of the word are : Cullinart (1541), Collynard (1706), Colleopard (1711, 1891), Collyndert and Collenward (1721).

foot to be sold to any that will by them, as also that all the mutton that cumes to the said mercat sall have the skines, tallo, heid, and foot with them to be sold, and farder no man to by or sell any of the forsaid comodities befor the ringing of the bell quhilk is ordanit to be rung at nyn aclok in the morneing."

November 29.—James Paterson, merchant in Keith, fined £20 for his abusive language to Bailie Stewart.

1678.

February 2.—A meeting held of the whole shoemakers of the burgh with the Council. Three persons appointed by the Shoemakers and three by the Council meet, conform to the order of the Justices of the Peace, and "set down the pryces of all schoes maid within the said brug for this present yeir."

John Mintie and two others, shoemakers within this burgh, are fined £10, inasmuch as they having gone to Turriff Market and bought a certain number of shoes at the rate set down by the J.P.'s, did sell the same within this burgh "at the deirest rait."

April 17.—Robert Duffus and several others are fined £10 each "for killing of heris and schouting of ducat dowes," contrary to the Acts of Parliament.

June 2.—All ale and beer to be sold at 12d. per pint.

June 17.—Every boll malt that is brewed to pay two merks.

October 19.—500 merks to be stentit on the heritors and trades by the Convention of Estates.

1679.

March 20.—George Chesser fined £30 Sc. for saying to those that stented him: "God judge them, as they haid judged him," and "that they might never have moir at thair end nor they haid stentit him wrongouslie."

April 15.—Alex. Craig of Roscraig fined £4 for beating Wm. Bruce.

June 23.—The Acts renewed anent keeping swine, geese, &c., and "anent hors and key eatting in bakis interjected betuixt tua menis cornes."

July 21.—"The Magistrats and Counsell, being frequentlie mett for marching ane common way from the Salt Lochs to the toune, have ordayned that the said common way be meithed and merched on the

south syde of the Collehill, whilk hie way my Lord Airlie hes dispensed with perpetuallie to the toune and inhabitants theroff, and that because the magistrats and counsell be way of excambion hes given and dispensed with the common venniall that belonged to the toune which wes the former merch and road way to the said loches betuixt my Lord Airlie his lodging and my Lord Banff's yeard."

September 29.—A bearer to be sent to Aberdeen and Montrose for clearing the business betwixt Banff and Cullen.

October 2.—"Every inhabitant to give his horse to lead stones to calsay the pairt anent the Smith's door."

November 8.—"Letter from the provost of Monros ratifying the decreit betuix Banf and Cullen.*

December 6.—"All codraches are ordered to remove from the burgh, and recepters of them to be fined."

December 25.—Discharge from Sir Wm. Sharp on £240 Sc. for 5 months' cess.

1680.

April 10.—"Act anent the watter gang that comes from Wm. Sime his wall and malt coble. Ane way to be set down that the Kingis hieway be not trublit with the watter.

June 5.—"Peter Barclay and Thomas Paplay appointed Constables for taking notice and oversieing all traidis and to tak notice betuixt maisteris and servantis and to regulat thair fies conforme to former actis.

September 7.—"The Counsell is to tak to thair consideration the building of the King Wall for accommodatioun of watter to the toun.

October.—"Sichting of the merchies and the wayes by the inhabitants.

October 23.—"Issobell Mill is ordanit to be wardit and to find sufficient caution for depairting of the place and ordanit to be banished in respect of her scandelus leiveing within this incorporation.

October 23.—"Paid to James Allan, piper, for his goeing morneing and ewining throw the toun with his pyp fra Hallomes, 1680, to Hallomes,

* In 1676 the burgh of Cullen presented a supplication to the Convention of Burghs against Banff for "certane prejudices sustained be them anent the wplifting of severall customs dew to them of certain fairs and mercats." In the following year the Convention remitted to the burghs of Aberdeen and Montrose to determine with regard to the supplication of Banff, representing "their privilege for visiting and judging of weights and measures within the common fairs in the shire of Banff which is now interrupted be the burgh of Cullen in ane hostill maner."

1681, the sowme of sex pundis. Johne Williamson wes resavit drumer and is to goe ewening and morneing with the drum."

November 1.—In reference to Lord Airlie's supplication and desire "anent that part of the loches from my Lord Banff's docat upward to joyne with the upper guishe of the said loche," the Town Council agree to dispoise the same to him.

November 13.—Walter Gray and twelve other shoemakers fined in all £24, for transgressing the Acts of the Justices of Peace anent the price of shoes.

December 4.—Twenty merks paid by the Earl of Airlie, by favour of the said noble Earl, to the Treasurer, for the disposition of the Lochs, disposed by the Magistrates and Council.

1681.

January 24.—"The Magistrats and Counsell taking to thair consideration that the horse raise is lyk to decay, thair being no diligence done against the contrabuitters thairto, have appointed the deane of gild to persewe all personis quho is yit deficient. [The amount subscribed was 1240 merks. The Marquis of Huntly has paid 100 merks, the Earl of Airlie 100 merks, the lairds of Meldrum and Edinglassach 40 merks each, and Buky 20 merks.]

"Paid to Walter Hay, post, in pairt of peyment of his wages, ane rex dollor."

February 5.—John Murray in Banff is made a burgess gratis, he giving a musket and bandalier gratis to the town.

February 5.—"The tounes originall chartor sent south for defens of the persute persewed be my Lord Boyne anent the 4 lib. craved be him off the toun."

March 5.—Paid £429 for the excise for the period from May, 1680, to January, 1681, inclusive.

August 20.—Patrick Stewart complains on Robert Duffus that in coming from the kirk of Inverboyndie Robert Duffus called him "scheipsteiller's geit, and stract and beatt him with ane staff and did rive the band from his craig." It being proved that Duffus called him "thief's geit," the Magistrates order Duffus to crave Stewart's pardon and forgiveness,

which he did, "and the said Patrik Stewart forgave him and efter shaking of handis depairtit in peace good freindis." Duffus is also decerned to pay £4 to the Treasurer.

1682.

January 20.—"The Magistratis intimat that no man servant nor woman servant be fund out of thair maisteris hous efter nyn hours at night."

May 1.—Players of football on the streets to be fined 40s.

May 23.—"The magistratis and counsell have ordanit Baillie Gordone to conveye on Saturday nixt the hail inhabitants within this brughe in thair best armes, such as muskettis, pickis, and halberts, for the keiping the solemnities appoyntit on the tuentie nynt day of May, be Act of Parliament, and ordanis the drum to goe throw the toun for that effect, certifeing such as keips not the said day to be fynnit in fourtie schillingis money and ordanis Baillie Gordone to tak ane compt of the millitia gunes and of suche gunes as burgesses gave in the tyme they war maid burgesses. [Eleven militia guns belong to the town and four guns belong to the burgesses.]

September 11.—"All mortichein hors to be removit furthe of this brughe betuixt the dait heirof and Fryeday nixt vnder the failye of ane hundrethe pundis."

October 24.—The town's original charter taken south by Bailie Fyfe for defending the action pursued by my Lord Boyne for £4 craved by him from the town, as also to get allocation of 5 merks allocated and allowed in the said charter to the School of Banff.

November 11.—Act renewed as to bringing the hides, feet, &c., with beef and mutton to the market. Every flesher to pay 20s. Sc. for his stand, and every man not an ordinary flesher to pay 30s. yearly. No man to buy or sell before the ringing of the bell at nine o'clock in the morning.

November 27.—All land burgesses to be charged to come in and make their actual residence in the burgh, or to desist from all trading.

1683.

April 21.—The bailies are ordained to convene the horses of the town to lead stones for building up the dyke to hold out the water to the

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lochs. Inhabitants having no horses are ordained to hire them, "or otherwayes to build ane ruid of sufficient mason vork at the dyck which the magistrats are about to build for holding out off the vater to the Salt Lochs."

May 5.—Alex. Brown is fined 20s. Sc. for stealing peats out of the Moss of Banff.

May 5.—"James Fath accused of entring the booth of Johne Denoon, merchant in Banff, by opning the dore at ane acloak in the afternoone of sett purpose to steill vhat he could find theirin. He confessed his guilt and declared that all he tooke furth theroff wes but a bawbee. For his vnseemlie caradge he is fyned in ten pund."

June 5.—£143 Sc. paid for the Excise by the brewers of Banff for each quarter of 1682 to George Leslie of Burdssbank, Sheriff Clerk, and Collector of the Excise for the Shire.

June 16.—Bailie Fyfe elected Commissioner to the Convention of Royal Burghs, and allowed £5 Sterling "for his paines."

July 17.—"The Magistrats and Counsell seriouslie considering how wicked, pernicious, and scandalous the lyffe of Beatrix Anderson, relict of vmqll James Murray hes bein in this place and to the effect the toun may be purged and fred of such a pestiferous and wicked persone have ordayned that the said Beatrix be convoyed be touck off Drume with the hand of the hangman to the ferrieboatt and to be putt over to the other syde and theirafter to be banisht the toun for ever. If she return she is to be brunt on the cheek be the hand of the hangman with ane hot key or birn iron."

September 24.—The Magistrates and Council resolve that the Council for next year consist of 12 Councillors besides the Provost, bailies, and deacon convener.

October 11.—Act for laying on a stent of £500 for, *inter alia*, "pairt of the halff month's cess imposed be Act of Parliament for the Colledge of St. Andrews." The stent to be one-half on the heritors and the other half on the merchants, trades and inhabitants.

November 24.—Wm. Milne fined half a crown for not accompanying the Magistrates to Lady Glassaugh's burial, he having no reasonable excuse. Ten persons in all were fined, from half a merk to half a crown; others were excused from sickness, old age, &c.

1684.

April 26.—“It is to be remembred that the silver cup prepared for the horse race and run for this year was gifted back be My Lord Huntly, winer theiroff, to the toune.”

September 20.—Bailie Gordon contracts with the town to build a stone dyke for holding the water out of the Salt Lochs and to make them into arable land. He is to be allowed a tack of five years of the “haill salt loches” (excepting the scholars’ butts and a common road or passage thereto for the use of the scholars and of those who have land enclosed in the said lochs) duty free, and to have the help of a servant from every family for one day “for helping the backing of the dyk with earth.” At the end of the tack the land is to revert to the town. The tack is subsequently extended four years.

1685.

March 7.—Provost Stewart elected as Commissioner to Parliament and to the Convention of Burghs, and allowed 40s. Sc. *per diem* from the day he takes journey till his return again.

1686.

February 6.—“Sir George Gordon of Edinglassie, Sheriff Principal of Banff, is to cile and pent the upper inner room of the tolbuith at his cost and charges for whose favor and respect the Magistrats and Counsell allows the said Edinglassie his name and armes to be putt on vpon the said ceiling.”

September 25.—Letter * read from the Earl of Perth, Chancellor, prohibiting the election of new Magistrates and Council, but allowing those presently in office to continue till his Majesty’s pleasure be known.

* The letter bears the autograph signature of the Earl of Perth :—

Affectionat friends, Whereas his Sacred M^{tie} hes by his Royall Letter dated at the Court of Windsor the twelveth day of September instant signified that all elections in Royall burrowes be suspended untill his Royall pleasure be knowen theranent, You are therfor in persuance thereof herby expressly prohibited and discharged as you will answer at your peirill to elect any new Magistrats or Counsell w^{tin} your burgh for this year, And you and the present counsell are by his M^{ties} authority hereby authorized to continue and exerce as Magistrats and Counsell untill his M^{ty} shall signify his furdur pleasur. Signed at command and in name of his M^{ties} privie counsell by your affectionat friend

PERTH, Cancell.

Edinburgh, the 16th of September, 1686.

I : p : d.

"Arthur Smith in Achinbade fined 40s. for bringing in sour and vnsufficient fish to the toun, to the great reproach and prejudice of the place."

1687.

September 24.—Letter submitted, subscribed by the Duke of Hamilton, and forbidding the election of new Magistrates for the year till His Majesty's pleasure be signified, and continuing those in office at present.

1688.

February 25.—"There is in the new litle house within the upper tolbuith fyftein misketts belonging to the toune, item ane hundreth pund weight of rough leid, item tuentie eight pund weight of ball, item four militia coats, ane hatt and ane pair of bandeleirs. The Treasurer is ordayned to cause imediatlie dress the guns that they be kept from rousting. Ther is lykwayis nyntein shod shoolls belonging to the toune."

August 25.—The Earl of Airlie pays to the Treasurer £6 Sc. "for helping the vpholding of the posts going."

At the Head Court the Act of His Majesty's Privy Council was read, authorizing the present Councillors to remain in office till His Majesty's pleasure be signified.

1689.

March 16.—Some persons keep horses and cows with no visible means of maintenance, and "eat and destroy the corns by feeding ther bestiall in the bakes and that comonlie more upon the corns then the grasse, and by treading and tramping down the same both with ther feett and the long tedders they have at them to the great damadge and prejudice of many in the place," therefore "it is ordayned that no person who hes any kynd of bestiall be found in any bake with ther beasts vnless the corns on ilk syde does properlie belong to him." [Similar Act, 12 April, 1697.]

1690.

February —.—Walter Gellie and three others fined 40s. Sc. for not having their horses in readiness "for convoyeing the persones of Charles,

Lord Oliphant and his Ladie, the Laird of Kempcairne and vthers prisoners."

The Town Council is ordained to consist of 15 Councillors this year. [The number last year was 13, and next year it is 16.]

"It is enacted that the old Act of the burgh anent vagabond and sturdie beggars be putt in full force, and that all codraches within brugh be banished."

The "customer" of the small customs is required to "furnish ane sufficient sellar near the mercat cross destinct from aney change house for being ane meill mercat and weigh house."

November 11.—The Council appoint John Geddes, merchant, to be postmaster for a quarter of a year, "who is to receive all letters for all posts or vthers and is to receive for all letters posted for Edinburgh from outlandish persons 3s. Sc. for the south country portag and tuo shilling Sc. more, the one halfe of the said 2s. to be applyed for the postmasters fie, and the uther for the posts wages, and that none be appoynted post but such as shall find surtie and give there oathes *de fidei*."

1691.

September 23.—The seamen's poor box examined by the Magistrates and found to contain £16 6s. 2d. Sc.

October 2.—Act anent the inhabitants attending the Magistrates at burials renewed, with this addition, that the Magistrates and guildry meet at the ringing of the double bells at the market cross, and the deacon convener, and the other six deacons of the Trades and whole Incorporation to meet.

1692.

April 5.—John Anderson, merchant, elected by the Magistrates commander of the guard for convoying the seamen to Leith, and the guard to consist of Wm. Paterson, shoemaker, and eight others.

November 12.—The Magistrates and Council empower their Treasurer to collect and upgather the penalties and fines of fornicators for times bypast, and to come, and to receive just lists thereof from Paul Keith, Session Clerk.

December 4.—"Ilk person absent from Crombie's buriall to be fyned in £4 Sc."

1693.

Stent roll of the Small Customs and Shore Dues of the Burgh :—

“ Every freeman, exporter or importer, is to pay for each tuo chalders of meall and for each on chalder of malt, bear, whytt, oats or vther grain 5s.

“ Every boll of Scottis salt 4d.

“ Each boll of forigne salt 6d.

“ Each last of salmond 12s.

“ Each boatts loadyning of Murray timber is to pey ane tree of each hundreth trees.

“ Every milstone 6s. 8d., every lairstone 4s.

“ Every tua top saill weshell 13s. 4d.

“ Each boatfull of mussells 2s.

“ Each tune of wyne 8d.

“ Each pair of single soled shoes 2d.

“ Each pair of double soled or leather heiled shoes 4d., &c.”

[Unfreemen pay double custom.]

1695.

March 9.—“ The Magistrats and Counsell takeing to their consideratione how weightie and heavie ane burden it hath bein upon this burgh to furnish Ribens to Burgess Acts some of ane great value, and considering that it is the custome of neyboring burghs not to allow any ribens, have statute, and ordained that it shall not be in the power of any person when sealls are appendit to adhibit any ribens to Burgess Acts, but only ane small strip of parchment.

March 31.—“ The provest, baillies, and counsell, being resolved by the assistance of God, so far as they cane, to crube and suppress all sin and wickedness, declares that they will be must cairfull to sie the Acts of Parliament against profinatione of the Lord's day, cursing, swearing, drunkenness and all uther immoralities strictly observed and that they will appoynt censors for that end and for the better observing of the Acts against profanation of the Lord's Day they doe heirby strictly prohibit and discharg all persons whatsoever to use any handy work or labour on the Lord's day or to vaige or walk idly in the streets or in the

feilds or goe to the watter syd of Dovrone or sea syd or craigs or to fish upon the said day and that no servant, man or woman, goe furth off ther maister's family that day ether idly to walk or waig on the streets, in the feilds, or wther wayes or to travell thorow the countrey to sie ther frends or any wther earrand whatsoever, and they discharge all persons to goe to ale houses or taverns for eating and drinking the tyme of sermon or any tyme on the Lord's day unnecessarily or unseasonably and all keepers of taverns to sell meat or drink at any tyme of the said day except to straingers or those who dyet at ther houses as also all persons from bringing in watter to houses on that day. Contraveners to be fined £10 Sc."

The Provost's charges as Commissioner to last Parliament amount to £209 9s. 4d. Sc.

October 15.—It is enacted that no person have within a house where fire is, heather, broom, or lint drying.

William Scott, goldsmith, appointed to collect money from the inhabitants to "eddiefie the King's Wall."

1696.

April 18.—The town's guns are to be let out to the inhabitants on security being given. "The heall inhabitants ordeined to meet on Wodensday nixt be ten aclock within the buttes in ane generall randie-woyes in ther best armore and apparrall and thereafter to wisett and sight the marches, liberties, and properties of the burgh."

May 2.—Jean Joass and two other women are ordered to remove from the town at the term. Elizabeth Stewart and Christian Perry are ordained to be banished, and if they return are "to be putt in the Thiefes hold."

October 3.—Meeting of Head Court. [The Laird of Braco's name appears for the first time in the roll of burgesses.]

October 3.—"The Magistrats and inhabitants renewes that Act which of old was ordained, appoynting all the meatt fish of the servants of the salmond fishing to be sold at the publict mercatt cross each day, at such raitts as the Magistrats and Counsell shall appoynt monthly.

"The Magistrats and Councell ordaines ane Act made anent incomers to towne that non be admitted without the magistrats probatione."

1697.

The four bailies are appointed to visit the town for vagabonds, and "to banish all loose wagabonds who cannot give an account of their manner of living, sumerly without process."

(1) Bailie Sanders to visit from Robert Smith's to Snobalogie's* on that side of the street, including the Back Path "foreagainst" my Lord Airlie's lodging.

(2) Bailie Ogilvie from Auchmedden's to the "Castill yeat," on that side of the street, and from Snobalogie's on his own side of the street to the Seatown, including the Seatown and Rose Craig.

(3) Bailie Wallace from James Anderson's to Bailie Gordon's and both sides of the street with the "Woults."

(4) Bailie Mark to visit the Strait Path, and from the Back Path on both sides to the Cross down to the end of the Gledsgreen.

1698.

April 16.—Elizabeth Stewart, formerly banished, has returned. The Magistrates ordain her "to goe furth of the place," and, if she do not, "to be scourged by the hand of the hangman, and they recommend her to those that are sending to the plantatione giving them freedom to intromitt with her."

May 21.—"Janett Faillie, spous to William Joass, gave in an account of £5 8s. 10d. due to her husband for ribbons furnished to the town.

"The Magistrats and Counsell appoynt bages for such poor as is thought convenient to beg through the towne and ordain the drum to goe thorow the towne inhibiting to relive any poor except those who have badges.

August 6.—"The Magistrats and Counsell considering how loose the countrie at present is and how many thefts are nightly comitted both in town and country enact that from henceforth there be ane nightly gaurd kept within the outroome of the tolbuith to consist of ane commander

* Other forms of the word are: Snobiologie and Snapollogie (1700), Snapielogie (1703), Snobologie (1705), Snabbologie (1707), Snoab of Logie (1712), Snapie Logie (1760), The Snappy Park (1787), and Snobbie Logie (1829).

and ten men who are to wisset the whole towne each hour and the feilds nixt adjacent therto and to apprehend all loose or vagrant persones and if any theft or thing shall fall out by the negligence of the gaurd they are to be countable therfor."

August 27.—Any person listed to the nightly guard and absent to be fined 14s. Sc.

"All persons young or old found amongst any man's peiss to be fyned 20s. Sc."

The officers are authorized "to punctuallie nottice the magistrats loaft and not to suffer any sitt therein except such as have right, with power to them to exact half ane mark from ilk ane that shall presume to sitt without warrand" (strangers excepted).

1699.

January 14.—"The Magistrats and Counsell ordaines George Ogilvie, baillie, and the treasurer, to apply to my Lord Banff that he may give libertie to demolish the woults of his ruinous house least they damnifie and prejudice any person."

June 8.—Five men and a commander appointed as a night guard to prevent "the many thefts and pillfering daly and nightly committed within burgh by many theifs of every age, young and old."

It is enacted that "non cast divotts or fail at the back of the dykes of the loches, under the faillie of £4, and that the inhabitants carie the rubbish at the school to the back of the saids dykes for forteifeing therof." *

Pursuant to an Act of the Royal Burghs it is enacted that no ribbon of gold, silver, silk, or any other kind of stuff, be used for appending seals to burgess Acts, but only a scroll of parchment.

* 1699, July 12.—"Anent the petition given in to the Convention by the Burgh of Banff mentioning that where the petitioners haveing a peice of waist ground called the Salt Lochs a considerable pairt of this comon which by reason of the naturall barreness and damnadges it receaves from the tydds and speat of Divveran in soe far that the dycks [by] these tydds and speats are caried away by ther violence and unless ther be a long leace of the samen sett it neither can be improven nor taken by any creavand therfor, the Conventione to grant a warrant to sett a nynteen years tack of the Salt Loches that the samen may be improven to the best avail for the good of the said burgh which being heard, read and considered by the Conventione they interpose ther authority and grants warrand to the said burgh to sett a nynteen or twenty one yeares tack of the said lochs for the good and advantage of the said burgh to any person that shall offer most therfor." (Records of Convention of Royal Burghs.)

December 9.—“George Leslie, Shirreff Clerk, prisoner in the Tolbuith, produced ane letter from Dumewhaill to allow him libertie within the territories of the burgh, which was admitted, Dumwhaill haveing got right to the dilligence one which he is incarcerat.”

1700.

January 5.—Thomas Mackurachan and Margaret Smith convicted of stealing meal, bread, a plaid, &c., from the house of Alex. Robertson in Whyntie. They are ordained to be taken by the hand of the hangman and “scourged furth the toun ower at the ferrie boatt and banishet furth the toun, never to be seen therin under the paine of death, the man to be hanged, the woman to be drowned.”

January 29.—The manse and glebe having been declared by the Presbytery sufficient, the Council decline to accede to the recommendation of the Presbytery to advance 100 merks towards the melioration thereof. The Council ordain that 12 horses be sent to transport the Minister’s plenishing to Banff, and that 12s. Sc. be paid for each of ten horses and 14s. Sc. for the two others.

April 6.—Letter appointed to be written by the Magistrates “to — Millne, millne-wright att Montross, for calleing him to come to this place in order to concert matters anent the building of a wind mylne at Banff.” *

June 15.—The Council instruct Provost Stewart to bring before Parliament their grievance in having the Sheriff Courts removed from Banff, also to do what was for the interest of the Caledonian Settlement at Darien. †

* 1704, March 30.—The Head Court resolve that “ane sufficient goeing wind millne be erectit,” and fix the rate of charges.

† Letter from Sir Alexander Ogilvie of Forglen : “Edinburgh. 1702, January 30. The Earl of Seafield shows himself concerned for the good of your toun and will not allow nor countenance any harme or prejudice to be done you by withholding the Shirreff Courts and publick meetings of the shire to be kept in your toun or that any harme be done or incrochments made on your Dean of Gild’s priviledges in the Markats* . . . In the last place I shall say if I be not a good friend to your toun it shall be want of power and strenth, but nothing of good will since ye shall be certane of a chape servant and in order thereto by these I obleige myself to serve you (gratis)

* In the Charter Room of Cullen House is a “Determination by Sir James Ogilvie of Boyne ordaining the Weights, Metes and Measures to be used at this present Hallow market at Fordyce to be surveyed by the Dean of Guilds of Banff and Cullen jointly” (Date 2 October, 1692). “The Council [of Cullen] ordain the Dean of Guild to attend the market of Hallow Fair as formerly, attended by the town’s deacon of shoemakers and officers, and to follow the method concerted at the last market betwixt the last magistrates of Cullen and Banff exactly” (Annals of Cullen, 1698).

June 22.—“Instructions for Baillie Mark, Commissioner to the Conventione of Burrowes :

“That he shall represent to the Royall Burrowes the mean and low condition of this burgh of Banff occasioned by the totall decay of what mean trade was therin and the calamitie and hardship of the bygone tymes and death of more nor the half of the inhabitants, abstracteing of the Shirreff Courts our antient priuiledges from this to the Burgh of Cullen,* and the publict meettings of the shyre, notwithstanding of the Acts of Counsell, kept all wayes furth of the place, att either Cullen or Fordyce, our salmond fishing, which was the suport of the burgh, inhansed in the hands of private countrey gentlemen, and the most pairt of the gentlemen of the countrey by the communicatiōe of trade turned merchants and reteillers and draven the trade from the inhabitants, by all which the burgh is brought to that low condition that it cannot mantaine and suport the character of ane Royall Burgh, wnles wee be considerablie eased of our proportion of the taxt roll and other suplyes granted us towards the mantaining of our publict works : And that he petition the Royall Burrowes to this end : And that the Royall Burrowes concurr to gett our Shirreff Courts and meetteings re-established with us being our antient priuiledges.”†

and without any chaarge or expenses on you either in Parliament, Convention or where ever else I can doe you good. This ye may belive from him who is most sincerely, Gentlemen, your affectionat and faithfull servant, Alexr. Ogilvie.”

About the same period were drawn up “Artukles and proposalls offered and demandit off Sir Alexander Ogilvie off Forglen, Comissioner for the Brugh off Banff to represent them in Parliament,—Primo, That he wndertake that he shall obtaine the Shereff Courts to be fixt and holden in all tyme comeing within the brugh of Banff, the head brugh of the shyre, being the inherent priuiledge therof which for some tyme past hes been incroched one and that noe courts one any pretext be holden at any wther place in tyme comeing except Circuit Courts for Ryotts and the penall lawes such as black fish, &c., and that during the tyme of Session the courts be kepted weeklie at Banff, conforme to use and wount. Secundo, That the haill meittings of the shyre be fixt to be still kept at Banff in tyme comeing according to use and wount. Tertio, That the denagild's privileges anent marcatts be kept inviolable and that the differences betwixt Banff and Cullen be taken away and that Cullen pretend to noe priuiledge off Hallow fair in Fordyce in tyme comeing and that Cullen medle with none but there owin burgesses, residents in Cullen and the decreet arbitrall betwixt the two towns be ratified in Parliament, &c.”

* Nicolas Dunbar of Castlefield, Cullen, was at this time Sheriff-Depute, and the son of the Earl of Findlater was Sheriff-Principal.

† Banff was not alone in its poverty. The “Records of the Convention of Burghs” shows how deeply sunk in debt a large majority of the burghs were about this period. Dingwall excuses itself for having no public debt “because they will not get credit, ther being no visible way how creditors could be payed by their publict.” In 1692 Nairn complains of the “insuperable poverty of the place.” Fortrose has £800 Sc. of debt, “if not more, and no way wnder heaven to pay it unless the inhabitants be stented, which dare not be medled with in this juncture of tyme for fear the most of them runn away.”

1701.

September 27.—The Council fix the number of Councillors at 19, including the convener, out of which number are to be chosen the magistrates and officers.

The Head Court determine that the convener be chosen yearly on Monday before Michaelmas, the Council on Wednesday before Michaelmas, and the Magistrates on Thursday thereafter before Michaelmas.

October 11.—“For crubing of vice, swearing, and such like misdemeanors twelve constables are nominated.

October 18.—“The Act anent Constables and crubeing of vyce to be read att the Marcat Croce and ane other double to be read in the Church from the leatron.”

November 8.—The dykes of the lochs to be immediately repaired by a servant from every family one day.

1702.

February 28.—The Acts renewed against gathering ware on Monday before sunrise. Contraveners to be fined 40s. Sc. “The baillies ordain the elder and deacone who colects at the church door to attend each Munday morneing in sumer and winter at sune riseing and that none presume to fall to work to gather the war wtherwayis, untill first the elder or deacone or both order them to fall.”

The Magistrates and Council prohibit any person in Down to gather ware on the bank of the bar of Banff from the Palmer Cove westward, wherein they [the burgh of Banff] have been in constant possession time out of date.

March 21.—“Paid to James Urquhart deacone of the Tayleors £4 3s. Sc. for makeing off the officiars' coats.

March 21.—“The Magistrats out of ane charitable intentione towards the supplying of the necessities of the indigent clergie have concluded to suplie them by ane voluntar contrabitione and appoynts twelfe punds Scots to be given out of the @rent of the Gild box money.” [Two of the bailies and the dean of guild are appointed to go through the town for contributions.]

"Intimation to be made through the town prohibiting the inhabitants to suffer their horse, nolt, or sheep to graze or pasture on ither men's corn or grass under the failie of half a merk."

March 24.—The provost and bailies for the encouragement of Alexander Allan, saddler, who is to set up in the town, gave him his Burgess Act.

Pasch Court.—"The Court haveing wotted whither or not the comone grass should be roupd or ane commone hird* sett therone it caried to roup.

"The Court condescends to roup the weiklie newes letters for ane year to come and each persone to pey for the sight therof ane penny or war soe much in the house who takes them be roup, each tyme they see them or read them, and James Ogilvie offers ane crowne, and John Mark offers ten shillings, . . . and George Ogilvie offers twentie sevin shilling sterling, Patrik Lowsone offers twentie eight shilling sterleing, and sells the samen to him for ane full year efter the daite hereof, and that the posts ilk ane of them deliver at each tyme the newes letters preceislie wnbrocken wp or wnselled to the said Patrick Lowsone or order each tyme immediatlie efter they come home and the said soume to be peyed in four parts at each quarters end."

April 15.—Protest given in by Alexander Duff of Bracco and others against the election of a Commissioner to Parliament being made by the Council instead of by a Head Court.

May 2.—Alex. Steinson, vintner, fined 40s. Sc. for selling drink to parties "wntill they were in extream drink." The parties concerned were fined 20s. Sc. each "for their ilegall wnvarantable drinking, fastening wp of doors, breackeing of vindos, &c."

"Ordered that none sell aile or other liquor in their houses one the Sabath day to any persone except to strangers or boarders nor one week dayes efter ten accloack at night."

May 23.—Letter to be sent to Elgin and Cullen requiring them to send Commissioners to Banff for visiting the case and condition of the burgh, the common good, and public works, conform to the 22nd Act of the last General Convention of Burghs.

May 23.—Protestation against Alexander Duff of Braco at the

* Dr. Buchanan, writing in 1855, says he has conversed with people who perfectly well remembered the last town herd of Glasgow collecting the cows and driving them along the streets. (Macgeorge's "Glasgow.")

town's instance for his encroachment on the town's property. Ordered to be inserted in the Register. Braco had encroached "by casting fail and divots" on the Gaze, on the east side of the Water of Doverne, betwixt said water and the hill of Doun. He maintained his predecessors had held this right fifty to sixty years. This the Magistrates denied, and asserted it had been their property past memory of man. Braco, moreover, held it was commonty, and thus he had a right to it, but on the east side of the water he holds no land, only fishing, from the town therefore he has no right to the commonty.

May 30.—Braco has ordered his tenants not to take ware from the back of the bar, nor pasture on the Gaze, nor cast fail nor divot thereon.

August 17.—Letter from the Lords of the Treasury that they intend to repair the tolbooth, which is now altogether ruinous, there being many thieves and others in the shire incarcerated therein, and seeing the common good is but small and that the town of themselves are not altogether able to perfect so necessary a work. On a petition therefor, a grant of 1000 merks Sc. from the Collector of the vacant stipends is obtained for the work.

The tolbooth bell being "riven" and useless, Baillie Baxter is ordered to inquire the cost of refounding it. It weighs 25 lbs.

August 22.—Twenty-five persons fined a merk each for having cows, horses, ducks, geese and swine pasturing promiscuously on other men's grass, the laws of burgh prohibiting any to pasture on grass "promiscuous" before the corn be shorn. Provost Stewart and Provost Leslie were among those summoned for this offence, but did not appear.

September 2.—The Magistrates and Council fix the number of Councillors for next year at 17, including the Deacon Convener, and out of these the officers (viz. provost, bailies, dean of guild and treasurer) are to be chosen, conform to Act and Proclamation of Lords of Privy Council of 20th July last.

September 24.—[Three bailies of Banff of this date thus write the word "bailie" after their signatures: balive, baylive, bailvie. Out of seven Councillors signing, six thus write the word "Councillor" after their names: Counceller, Counselor, Cownseller, Cuncelor, Cunceler, Counselor.]

October 3.—The Magistrates order that no swine be kept in the burgh henceforth unless within doors. Any person finding them "in their skaith" has licence to kill them.

The Magistrates order that the dykes of the Salt Lochs be repaired with stones or with earth as may be necessary.

October 4.—Provost Leslie cancels a bond for £363 16s. Sc. granted by the town to him. The Council therefore give him power to affix his name and arms on the Schoolhouse as builder, heritor, and donor.

October 9.—Sir Alexander Ogilvie of Forglen appointed to represent the burgh at the Convention of Burghs held at Edinburgh 7th inst, which is to appoint a large number of Commissioners to be present at the Meeting at London on 27th inst. anent union with England.

December 20.—George Stewart fined £50 Sc. for drawing a durk and fighting with Thomas Clapperton, who drew a sword in his defence.

"Paid £29 15s. Sc. to Albert Gely, Aberdeen, for refounding the old tolbooth bell and adding new metal thereto. Paid 47s. Sc. to James Bremner, post, for carrying the bell in and out from Aberdeen, and for ane post letter."

December 5.—Absent Councillors, without a relevant excuse, to be fined 12s. Sc.

1703.

May 1.—"If Margaret Ellies, spouse of James Couper, beis found to putt hand on her husband, she is to be sett on the cockstoll and ther to stand the space of four houres on ane publict day."

May 17.—Elizabeth Sime fined £3 Sc. for cursing her mistress and family (Leslie of Burdsbank), and ordered to be "incarcerat until her master intercede for her inlargment, and pay the forsaid mulct out of the first end of her fie."

June 22.—The Magistrates having heard of other reviling expressions used by Elizabeth Syme banish her furth of the town and if she return she is to be scourged by the hand of the hangman, and put in the joggis. She is ordered to be conveyed out of the town by the officers by tuck of drum and over Devoren.

June 14.—"Paid £7 10s. Sc. for the use of murnings to the Cross and the Magistrats loafst" [after the death of King William of blessed memory].

The common officer is ordered to perform his duty in cleansing the streets and keeping sturdy beggars out of the town.

1704.

February 19.—Helen Murray ordered to be banished “for her scandalous liveing in ane desolute and loose maner of liveing” never to return under the pain of being scourged furth by the hand of the hangman.

February 19.—“The magistrats enacts that noe persone shall have the benefite of the double bells rung at burials unles they take the hand bell and pay the accustomed dues therfor.”

Paid £16 to Bailie Ogilvie as 8 days’ charges in attending the Convention of Royal Burghs in Edinburgh.

Paid £20 to James Cowie and two others “for attendance of the Egyptians in the Tolbooth.”

October 5.—Paid 12s. Sc. to the Kirk beadle for ringing the Kirk bells on the occasion of the thanksgiving for the defeat of the French.

October 7.—The number of Councillors fixed to be hereafter seventeen, including four continued from the old Council.

“The Head Court ordains that the Magistrats or Counsell of this place, present or to come, shall not presume to burden the place with any expenses or charges upone the account of any treat or intertainment for any cause or pretence whatsoever.”

1705.

March 17.—“Paid 10s. for 20 elns tape furnished to the hangman’s cloaths.

April 7.—“The Head Court ordains ane Randeuouz to be kept on the thirtieth instant, and that all persons, inhabitants, comper theratt in ther best armes and such as want armes to tacke the tounes gunes and to keep them in order and returne them [13 guns distributed].

June 14.—“500 merks allowed by the Burghs last Convention for repairing our tolbooth.”

August 4.—Forglen has obtained from the Convention ease to the burgh of 2s. Sc. to the Stent Roll, owing to “the meanness of the conditione of the burgh.”

September 22.—“The Counsell this day bought 28 elns fine white broad serge for making mournings for the Magistrats loaf and Croce and other uses at 12s. Sc. per elne.” [The cloth to be walked and dyed black.]

Number on Burgess List—146.

1706.

July 1.—“The tolbooth doors to be opened only at 8 in the morning, 12 in the mid-day, and 8 a'clock att night. The Council prohibits any of the Magistrates to allow any immunity to any prisoner ather to allow the upper tolbooth or liberty to goe furth of prisone to any house to the street or otherways.

November 4.—“The Counsell having considered that there is ane vicked custome in this place used by several idle persons in mascarading and profane gulling with antique faces entering men's houses with strae cloaths, men in woman's habits and antique habits afrighting the inhabitants, women and children.” [A penalty of £10 Sc. to be imposed for such offences.]

1707.

May 5.—“[Magistrates and Council present.] The said day there was ane letter received from James Patersone, ane Tounsman now in miserable conditione, a prisoner in Algeirs, untill he be ransomed, which is staited in the letter to be 250 dollars, direct to John Thomsone, carpenter, late slave in Algeirs, and by ane Allex^r. Patersone, merchant in Londone, direct to George Fordyce, merchant in Aberdeen, with ane letter from George Fordyce, merchant in Turref, craving the toun's assistance and Christiane charity for the said prisoner his ransome in Algeirs, which being considered by the Magistrats have recommended to James Clark and James Gray to goe thorow the town and crave ther charity for relief of the prisoner from slavery and to applye to the minister for raising such contributione ather from churches, presbitrey, or collections thorow the church as shall be thought meet and convenient to the effect above-mentioned.”

The Council resolve to bring before the Head Pasch Court that the sett of election must be changed, there being too few to choose from for a change yearly.

December 20.—Paid 12s. for the last year's news letters.

1708.

January 10.—“Ane of the keys of the Charter chest delivered up to James Ogilvie, baillie, another to Provost Sanders, and the third to the Clerk.

March 22.—“Robert Sanders, post, is ordered to take journey to Aberdeen weekly on Wedensday, att eight in the morneing, and return from Aberdeen Saturdays morning, att the said hour, under forfeitur of his wages. Paid £18 4s. for halfe years Sallarie to the post.”

May 8.—Letters of law burrows raised by the Magistrates against Lord Banff, guilty of perpetrating several outrages, especially on 7th inst.

May 11.—“The said day orders the Clerk to extend and subscribe ane commissione to Sir Allex^r. Ogilve off Forglen to repair to Elgin as there Commissioner for meeting with the rest of the Commissioners for this district of Burrows for choiseing ane Commissioner to the enshueing parliament of Great Brittain, conforme to the Acts of Parliament, wreets, evidents, and precepts emitted furth of Her Majesties exchequer, and from the Sherrifs; and the haill counsell approved therof.”

May 20.—Lord Banff to be indicted for shooting a pistol loaded with powder and lead in James Ogilvie's fore chamber, “and had not God's providence prevented the same he had shoat James Clerk, baillie, dead.”

May 22.—The Magistrates resolve to resist strenuously all “attempts of pressing the town's men, the Queen's free leidges, to be souldiers.”

June 19.—Valuation roll of the burgh amounts to £4423 9s. 7d. Sc.

July 4.—There are incarcerated at Banff 37 Frenchmen by two English Captains of two English merchant ships,—Richard Ryder and John Holdmen—being taken in a French privateer.

August 7.—“Paid to James Legat, church oficiar, for ringing the bells anent the Victorie at Audenard 30s. Sc.

August 28.—“Paid 14s. Sc. to John Gregor and the rest of his men, who with horses did transport the four great guns with their carriages, &c., from the shore to the Castlehill, where they now are.

October 23.—“The Counsell orders the Dean of Gild to repair to Hallow Fair att Fordyce and visite and judge in the mercate, according to custome and use, and with him commissionats Walter Davie, Deacon of the Shoemakers, to visite the leather and shoes according to custome.”

October 23.—Letter to be written to the Earl of Seafield to remind him of his promise of procuring to the town two cannon to defend the place from privateers since the coast is frequently infested therewith.

October 30.—“Paid James Leggat 12s. for ringing the Kirk bells for the taking the city of Lyle in Flanders.

December 20.—“Letter to be write to my Lord Seafeld to procure ane Commissione of Admiralty to the Burgh from the Palmer Coife to the burne mouth of Boindye the bounds of the toun's liberties.”

1709.

January 22.—Warrants issued for receiving the weights and measures from the burghs of Stirling, Linlithgow and Lanark.

March 7.—“The Act of Parliament read anent leveiing of land forces and marines for recruteing her Majesties forces. The Magistrates immediatly ishued furth warrands to be intimate be touck of drume inducing all persones to accept as Volunteers and that the Constables and other officiars of Burgh and Kirk Sessione give up ane list of all persones that are within the descriptione of the Act of Parliament that they may be judged in terms of the said Act, being such men as doe not follow or exercise any lawfull employment to serve her Majestie as souldiers.” [The relations of such able-bodied men to receive £3 Stg.]

March 22.—No persons answering the aforesaid description were found in the town, “but the toun's officiars comeing to notice of ane idler called William Peter, laitely come to toun, ane parish of Five man, in Aberdeenshire, be warrand of the Magistrats seased upone him, apprehended and brought him to the gaol of Banff.” [The Magistrates decern him liable to serve in Her Majesty's forces, and to be entered into the Tolbooth until he be delivered to an officer.]

March 26.—The Provost reported that he had got another Volunteer. [The Convention of Burghs in the previous year enacted that all burghs remove idle and vagrant persons from their bounds.]

April 11.—Payment made to the express that came from Fraserburgh with an account of ten French men-of-war. The Council ordain that a nightly guard of eight men be kept within the tolbooth.

The sett of the burgh of date 7th October, 1704, having been found too burdensome by reason of the paucity of men capable to bear office, it having required the whole of the old Council, except four, to be changed every year, and the whole Magistrates and Office-bearers every year, therefore the sett has now (20 June, 1709) been altered as follows :

The number of Councillors is not to exceed 17, inclusive of the deacon convener, and his assessor ; the old Council to choose eight

Councillors of the preceding year's Council for the new Council, then to choose eight new Councillors, which with the deacon convener (to be chosen by the Trades) makes up the number to 17. Thereafter the whole Council of the preceding year, with the eight of the subsequent year, elect the Provost for one year, but he may be re-elected for the second or third year, but not longer; the number of bailies to be three or four, as the provost shall determine, and to be elected similarly to the provost, and the mode of election of the Dean of Guild and Treasurer also to be similar.

July 16.—“Ordered that a letter be wrote to the Commissioners in the terms of Mr. Hamiltoun's letter, both as to the privateer last year, and the French prisoners this year, in July instant, the expenses in sending them to Aberdeen being as followeth: Taken be James Hodsell, commander of the Squirrell man-of-war—for maintenance of the prisoners, being 41, and for carrying them to Aberdeen, being two days journey, £16 8s.; for 3 days maintenance of 13 men that guarded them to Aberdeen, £11 14s.; item 15s. 4d. for powder and lead to the guard, &c., in all £49 3s.”*

Received new weights from Lanark of solid brass—drop, stone, 56 lbs., &c. “Item four jouns from Sterling of fine metall from ane English gallone to ane pint. Item ane bushell from Linlithgow English measure of metal, one peck, of oak wood, houped with iron, &c.” The long and short ells also received.

“The reavell in the Straite Paith to be erected furtwith.”

November 7.—Letter from My Lord Pitsligo, &c., importing that Alex. Hay, sailor in Banff, is free of the supposition of being infected

* Justice of Peace Warrant to the Magistrates and Town Council to transport the French prisoners: “1708, Aug. 5. We desyre that with a guard of eight of your tounesmen ye forward to-morrow's morning the 40 prisoners now in your tolbooth, who were taken in the French pryze ship at present lying within your harbour, to the prisone of Aberdeen. Signed, Alex. Abercrombie. Jo. Joass.” The J.P.'s allowed 8s. 6d. a day to each of the guard, and 6s. 6d. a day to each of the three captive officers, and 4s. 6d. a day to each of the other 37. The money to be paid by the shire, if Government refuse.

“1708, Aug. 2. Account of expenses debursed by the town of Banff towards the entertaining of 44 French prisoners taken in the Bonami of Calis be Richard Ryder and John Holman, English captains, who stayed in Banff prison seven days, wherof there were 4 officers. The 40 seamen at 4s. and the officers at 8s. a day is £9 12s., ilk 24 hours, that is £67 4s. Item 3 dayes in their journey to Aberdeen £28 16s., and £20 to the guard at Banff. Item ane guard of 20 men their intertainment to Aberdeen 3 dayes and back to Banff 2 dayes, £46 10s. In all £162 10s.”

with the plague, having stayed full quarantine.*

December 13.—Patrick Lowson, merchant, stented for £3,500 Sc. (He exported victual and imported salt.)

December 24.—Act "anent mascarading and guising" renewed with this addition that such as shall be found in disguise shall be listed as idlers and given to the recruiting officers to serve as soldiers in Her Majesty's service.

Paid £3 4s. 10d. to James Bennet for building of the common well at James Bennet's house.

1710.

March 1.—The Laird of Braco brings an action against the Magistrates before the Lords of Council and Session to obtain a suspension for non-payment of the common stent. He threatens to encroach upon the commonty of the burgh by taking away the town's property of that part called the Gaes, beyond the water of Doverne, and to stop the common passages to and from the burgh. A Head Court unanimously resolves to stent the burgh for £600 Sc. to defend the action brought by Braco.

The town receives £19 6s. 5d. Stg. anent the French privateers.

April 27.—Meeting of unfree traders within the shire, ordered by the Agent of the Royal Burghs to meet at Banff on 8th May "for agreeing with him anent ther unfree trade for bygons and for takeing communicacione of tymes to come." Advertisements sent to Portsoy, Fordyce, Doun and Keith with an order to the traders within these towns to advertise unfree traders in the next adjacent parishes.

Erection of Tolbooth. Masons were paid 11s. Sc. per day, and barrowmen 5d. and 6d. Stg. 32 logs bought for 30 crowns for the roof, also 300 bolls lime bought for 4s. Sc. per boll as at the lime kiln. 2000 slates, £25 8s. 1300 load of stones, £52. Total cost, £2021 Sc., which was partly raised, as follows: £373 5s. 8d. Sc. being realized from grant of 1000 merks from the Lords of the Treasury of vacant stipend of Old

* The Plague or Pestilence was of frequent occurrence in former times in Scotland. It raged in Aberdeen in the years 1401, 1498, 1506, 1514, 1530, 1538, 1546, 1549, 1608, &c., in Edinburgh in 1568, 1604, &c., in Montrose in 1568. Mr. Beveridge, in *Culross and Tulliallan* (1885), states that the plague made its last appearance in Scotland in 1645, but in 1648 by Act of Parliament the burgh of Banff was exempted from supplying its full proportion of men to a levy on account of the pestilence. Cf. also C. B., 17th Oct., 1743 (*antea*).

Rayne ; £133 8s. Sc. from several gentlemen of the shire ; £111 1s. 8d. being the part of a grant of 500 merks by the Convention of Burghs (the rest lost owing to Alex. Wilson of Littlefield dying in debt), and £231 17s. Sc. received anent the French prisoners. The tolbooth had seven windows 5 feet high and 2 feet 10 in. broad, with a door 5 feet 6 in. high and four small doors. A gilded weathercock surmounted the whole.

The Council obtain the advice of Alex. Milne at the Milne of Alvah as to altering the north gavel of the tolbooth, and in terms thereof the prison, court-house above, &c., are enlarged.

August 19.—“Paid 14s. Sc. for ane elne of Ribens to the Laird of Allardyce Burges Act.”

August 26.—“The Magistrats poynd of the product of the fishing of the water of Diverone belonging to Braccoe 4 barrels salmond legally comprysed att £37 Sc. per barrel, for payment of the toun's taxation.”

September 23.—William Duff of Braco petitions for entry of his lands and fishings held of the burgh in terms of the charter granted to his father, Alexander Duff of Braco. The Council refuse unless he accept a charter of his whole lands and fishings held of the burgh. He replies that he possessed the lands and fishings of Bachlaw, and the fishing of the cruives, by charter held of the Crown.

October 16.—Paid 31s. Sc. towards the entertainment of seven French prisoners.

November 11.—Wm. Syme, councillor, appointed to go to Edinburgh anent Braco's case, taking with him the Town's charters, &c., and to be allowed for his expenses 1s. Stg. daily, besides his extraordinary expenses and horse hire.

November 11.—Paid 1s. to the kirk officer and 1s. to the officers for ringing the bells for ane thanksgiving for the victory in Spain.

1711.

March 10.—The Magistrates issue directions as to the window tax, which is to continue for 32 years after 1710. Each inhabited house having 20-30 windows will pay 10s. Stg., &c.

April 23.—Robert Junken and many others fined 20s. Sc. each for “gathering ware att under tyme before sune rising.”

1712.

January 1.—Some prisoners having fired the doors of the tolbooth and almost escaped, the Council ordain that the backs of the doors be lined with iron. A smith in the country to be employed, as the smiths in the town refuse, except at an extravagant charge. [It cost £16 8s. Sc.]

April 6.—£2400 Sc. debursements and expenses expended by the burgh in the process betwixt Braco and the town.

April 28.—The Court renews the Acts against the common servant, and if he fail in his duty he is "to be putt in the pitt, *toties quoties*," by the officers.

July 10.—Provost Mark writes from Edinburgh anent the action Braco v. The Town, stating that "money is the sinews of the plea." The Council resolve to borrow £5 Stg. and to send it to Provost Mark, and "for easiness of carriage have procured ane bank note of five pounds Sterling from James Ogilvie, merchant, number $\frac{122}{24358}$ dated first of May, 1705, from the Bank of Scotland to pay to David Spence or the bearer on demand the soume of five pounds Starling money be order of the Court of Directors for sixty pounds Scots money and sub^d. be James Cumming, accomptant and Mr. David Drummond, thesaurer, which is immediatly transmitted to Ed^r. in ane letter direct to Provost Mark att Ed^r. to the care of William Syme and for cares sake to send the samen in ane letter to the postmaster of Aberdeen to be forwarded to Edin^r. be him under covert, for which the Thesaurer has payed sex shilling of postage and bill draven therfor."

The Salt Lochs with the butts are to be divided into six parts, three to be let at £5 each, and three at £4 each, providing that whoever have the butts in their parts reserve liberty to the scholars to play therein.

September 20.—An agreement is come to with the town and Braco, through the mediation of mutual friends, Sir Alexander Ogilvie of Forglen, Patrick Duff of Braco, and Patrick Leslie of Melrose. The Council agree to grant a charter to Braco in the terms of the Earl of Airlie's charter and reddendo thereof, and to free him of all expenses the town has had in the action against him, he paying the town £485 16s. Sc. "It is his resolution hereafter to live in peace friendly and kindly with us, so it is ours to doe the lyke with him." Paid £6 6s. for "intertainment

att the greement forsaid and otherways." The Head Court unanimously approve of the agreement with Braco.

The Council order four batons to be made in Edinburgh for the town's four constables. The batons to have silver at both ends; on one end the Queen's name and crown, and on the other end the town's name.

1713.

February 21.—James Fyfe presented to the town a new furnished drum, with Brazil sticks, four new halberts, heads and staves, with five Constable staves of Brazil wood, in all worth £36 Sc.

April 11.—Head Court held and the land marches visited this afternoon at the ringing of the tolbooth bell.

May 23.—Paid £13 6s. for furnishing liquor and other entertainment at proclaiming the peace. Paid 18s. and 12s. for ringing the kirk and tolbooth bells.

Paid 27s. Sc. for ribbands to Burgess Acts.

October 3.—"John Gordon, factor at Rotterdam, ordered to send for the use of the town as much weights as will weight two bolls of meall weighting 16 stone weight, Amsterdame weight, which doth agree with our old Scots weight, to consist of two four-stone weights, four two-stone weights, one stone weight and two half-stone weights." Mr. Gordon replies on 19th December that the weights have been sent off, the price thereof being £5 19s. 9d. Stg.

1714.

January 16.—"Ordered the hail burgesses to bring in ther hail weights to be adjusted gratis."

February 6.—12s. Sc. given to James Raney at his engagement to be an officer and piper to the burgh.

Green cloth to be put on the greatest of the first two pews of the magistrates' loft, which loft is appointed for the council and guildry only, with gentlemen, strangers and seamen. "By bad custome creapt in, the said loft is become in ane manner common and persons of mean degrees, even of very mean qualitie, servants and hiremen, frequent the samen, and sit therin without warrand." The loft, which contained eight seats,

four persons to each seat, was erected in 1669, twenty-six persons subscribing thereto. It cost £279 2s. 8d., whereof was expended £16 for 16 double trees, also outlays for drink to the wrights when they cut the mast at Down, and for drink to the wrights when they delivered up the key, &c.

March 27.—Agreement with the Officers:—"To William Anton, Drumer and officer, 10 merks as officer, ten merks as Drummer, five merks for ringing the bell morning and night with two pair shoes yearlie, besides cloaths; To James Ranie, pyper, ten merks as officer, ten merks for going with his pype and ringing the bell morning and night, two pair of shoes and cloaths; To ilk ane of the other two officers ten merks as officers, and ten merks Sc. betwixt them two, for ringing of the bell morning and at night, with ane pair of shoes to each and cloaths, and this besides such wadges and gratuities as were formerlie peyt to them by the inhabitants at Christenmass and other times."

April 3.—The Head Pasch Court confirms the above arrangement, "with this quality, that the drumer and pyper go exactly at four aclock in the morning and at eight of the clock at night, and the officers ring the bell precisely at five in the morning and at nyne of the clock at night, wherin if they fallie and transgress their hours so much as half ane hour fines them in 12s. Sc., *toties quoties*."

"The Court ordains the common officer exactly to go thorow the town and keep out and extrude wagabond beggars and idlers from out of the town, and to keep the haill town free of dung and apply the samen to his own vse, and ordains ane large coat of the town's livrie pesmented with white pesments to be given to the common officer, and to perform the haill above premisses under the penaltie of 12s. Sc., besides to be imprisoned in the pit, restricting the wearing of his coat to be on Sundayes when he is to stand at the kirk door and keep out dougs and kill the samen, and have fourtie pennies for each of them or their skene, and ordains that no person suffer ther dogs to come to the kirk to disturb the service in time of divine service, and that he wear the coat on mercats and publick dayes."

July 3.—"Ane bottle of chirry, another of cedar, furnished for intertaining my Lord Deskfoord and Forglen, being 33s."

July 10.—"Anent the redding of the harbour of Downe the Magistrats and Councill are satisfied to allow two men each day for ane week

to begin the work of carrying away the red from the quarriers, and if they find the work carrying on to effect, and that it may seeme to prove of use and become practicable, they will allow more men."

August 2.—Two men were allowed for two weeks, whose expenses amounted to 12s. sterling. More men not to be allowed until the Council meet with Braco and Stoneywood.

August 14.—A letter having been received by the Magistrates from the Lords of Justiciary, ordering all Magistrates to use their utmost endeavour to preserve the public peace, the Magistrates intimate by tuck of drum "that the haill inhabitants of this burgh do put themselves in ane proper posture of defence and furnish themselves with fire arms, guns, pistols, swords, and other defensive armour for defending themselves and the burgh from any invasion." Proclamation given in from the Council "for proclaiming George, Duke of Lunenburg and Brunswick, King of Great Britain, France, and Ireland, over the Cross of Banff."

August 21.—Ordered that James Garden be agreed with for fixing and dressing the town's guns (13 in number) and making them serviceable.

October 2.—"£6 18s. 8d. Sc. paid for treating, expendit when the news of his Majesties arrivall at London came to town."

October 21.—£7 17s. 4d. expended at the King's Coronation.

1715.

April 30.—Several tradesmen are summoned who lie out and will not enter themselves freemen and burgesses of the burgh, but live therein as freemen without paying any composition to the burgh for living therein. They are appointed to receive burgess Acts on payment of certain specified sums to the "Deanagild" box, &c.

May 14.—Constables appointed: Walter Gray, Squarewright; James Gray, Shoemaker; Thomas Murray, Shoemaker; and Thomas Cook.

"The Magistrats and Councill considering the grivance against armed chairs hindering the conveniency of others, provocking the possessors to sleep in time of divine service, and impedes the passages, therefore, and for takeing away the bad customs of armed chairs, ordanis with concurse of the magistrates (? minister) and elders all persons, possessors of the said armed chairs, to remove the same forth of the church before the

first Sabath of June nixt to come under the fallie of thirty shilling Scots, to be peyt by the contraveener, who shall continue ther chairs in the church therafter, and ordains thir presents to be intimate from the latron nixt Sabath day, that none may pretend ignorance."*

May 14.—The Magistrates allow James Wood to pursue certain persons before the Commissary of Aberdeen, instead of before the Bailies of the burgh, in this instance only, in respect one bailie is out of the country, another is a party in the case, and another is a relation of the pursuer.

At "surviewing" Sumerive's fair, taking notice of the weights and measures, forestallers and regratters, &c., several of the weights were of stone, but were allowed if not too light; a chapman had a short plaiden ell and was poided eight little drinking horns for a fine of 18s. Sc.; a merchant from Aberdeen had a short English yard and he was poided the yard and half a piece of Holland; a glover from Elgin had short iron weights and was poided the weights and a leathern wallet and two pair leathern gloves; and a merchant from Kintore, having an insufficient and evil barked hide, was fined 10s. Sterling. The only deacon sent by the burgh to the fair was the deacon of the shoemakers.

September 26.—The Magistrates and Council find that at present the country "seems to be in ane loose condition, and that desolute and stragling people may be running through the countrie, and may at unavarse assault the town, and do prejudice to the burgh and inhabitants therof in the night time, therefore do ordain and appoint ane nightly guard to consist of twenty fencible men, sufficiently accutered with ane gun and amunition conforme, and ane sword, to defend the burgh *per vices*, once in the week, and appoints for Captains James Wood [and seven others] to whom is allowed 20 men besyde the captaine to keep strick order and true guarding as they will be answerable."

October 29.—"James Wood, Deanagild, reported that in Hallow Fair marcatt in Fordyce he had attacked William Chalmers, chapman, with ane insufficient half elne beyond the standard," and that he had taken from him as poind 40 pair of men and women's gloves of coarse leather, and 8 hand napkins of coarse cloth. Chalmers did not appear and was fined £6 Sc. Two others were also fined. The Dean of Guild's expenses at Fordyce market, going with 3 horses, &c., £15 19s. Sc.

* "1778. James Black in Nether Blairrock is ordered to take possession of an arm chair in the kirk which formerly belonged to his ancestors." ("The Church and Churchyard of Deskford.")

November 12.—“The Magistratis and Counsell haveing taken to their serious consideration that the country is in disorder, and albeit the town has settled posts weiklie to and from Aberdeen, yet they judge it proper and convenient there be an weekly post settled and appointed to go and returne betwixt Banff and Elgin weekly, to enter to goe Munday next the 14th instant, appoints a post for that effect, and appoints ane letter to be written to John Adam, postmaster at Elgin, to send ane account of the country occurrences and current news of any matters that occurs, and another letter to Lachlan McIntosh, merchant in Elgin, for that samen effect, for which they are to have suitable encouragement, and ordains the clerk to writt the said two letters which the Magistrats are to subscribe.”

November 19.—Ordered the town's guns to be given out in loan to responsible townsmen.

December 17.—The Magistrates and Council having considered an order to the Magistrates by the Hon^{ble}. the Earl of Mar, ordering forthwith to raise and levy from the burgh six months' cess, extending to £12 stg., Braco offers to advance the money to the town, but meantime they borrow it from the Kirk Treasurer, and order George Stewart, Collector, to repair with it to Fochabers, and pay it to Col. John Gordon of Glenbucket, as having warrant from the Earl of Mar.

1716.

April 20.—“Bill drawn on the thesaurer to pay to James Walesone, post, 20s. Sc. for going express with ane letter and returning to and from Elgin, and another for 7s. Sc. for the intertaining ane probationer, and 3s. Sc. forighting the tolbooth loume.”

June 9.—“The Councill takeing the infirm condition of Christian Fraser, criples and diseased, who has been a great burden hitherto on the place, albeit the town hath no interest in her, being ane stranger and allien to this place, ordanis Thesaurer James Duff to cause make ane barrow with ane back and sydes for transporting her to the country where shee might beg her meatt and not be further troublesome and ane burden to the place in time comeing.” *

* “1759. Letter from the physicians and managers of the Infirmary of Aberdeen informing that Margaret Steinson was like to lose entirely the use of her reason, and no hopes of her recovery . . . The Session found the only thing they could presently do with her was to cause make a barrow for her on which she might be carried through the parish to receive the charity of the well-disposed parishioners. Paid for the above barrow 26s. Sc. 1763. To Mt. Steinson's barrow mending 6d. 1764. Paid Mt. Steinson's funeral charges 3s. 9½d.” (“Church and Churchyard of Fordyce.”)

"Paid to Walter Gray, wright, 30s. Sc. for making ane barrow to cruple Christian Fraser."

July 14.—The Magistrates order a collection to be collected through the kirk, Sunday, the 22nd inst., for repairing the timber bridge of Fyvie. [£5 Sc. collected.]

As several vagabond poor and idle people creep into the town, the town is to be divided into four parts, and the bailies to visit them.

October 22.—In terms of the Act of Parliament the Magistrates appoint to-morrow for taking in the arms, it being not now lawful "to use or bear broad sword or target, poynyeard, whinger, or durk, syde pistoll, or syde pistolls, or gun, or any other warlike weapons," and that the arms of Royal Burghs are to be kept in magazines, and are not to exceed 200 in number. Such arms when brought in are to be appretiated.

John Gordon of Auchyndochy incarcerated in Banff tolbooth by virtue of a *mittimus* to the Magistrates for his alleged crimes.

November 10.—"The Earl of Findlater, patron of this kirk and pariochin of Banff, having subscribed a call to Mr. James Innes, son to the deceased Mr. Patrick Innes, sometime minister here, presenting him to the town of Banff to be minister of the kirk therof, the Magistrates, heritors, trades and inhabitants subscribe the call, and commission Baillie Syme to go to the Presbytery of Fordyce to push on the call."

November 14.—Ordained to be paid 56s. 8d. Sc. to John Gregor, elder, and George and John, his sons, for furnishing seven horses for carrying baggage, &c., to soldiers from this to Cullen. "12s. Sc. each horse is the ordinar rate in such distance."

Paid £3 Sc. for two pints of sack furnished by the provost for the entertainment of John Farquharson and two other lieutenants, who came to carry John Gordon of Auchyndachie from Banff prison to Aberdeen.

April 13.—"Paid to the workmen 8s. Sc. of ilk horse of 18 horses that went with his Majesties forces to Cullen and otherways.

"Paid £4 10s. Sc. for three pints of wine at the interteanment of the Presbyterie and others at the comprising of the minister of Banff's mans."

1718.

Four new Constables appointed for the year [a wright, a saddler, a shoemaker and a merchant]. They receive a copy of the Constables' instructions, as contained in the Act of Parliament.

March 5.—“ It is represented by George Barclay, merchant in Banff, that he while he was last in Roterdame in company with John Gordon and Alex. Andrew, merchants in Roterdame, and comeing to discourse anent the kirk bell, now at present riven and useless, took ane memoir to mind to send to Holland the kirk bell of Banff, old and riven, unto Mr. John Gordon and Mr. Alex. Andrew forsaide, to be casten of new and returned, and their names put upon it, and to be by Mr. Adam Duncan, merchant there, and haveing written to Mr. Andrew thereanent since, he returned ane note to send her to Mr. Adam Duncan and he would make the bell clink. The magistrates and counsell accepted of the kindlie proffer and allowses them to put on their names thereon if to them it seems good and ordains the bell instantly to be taken down and then weighted and the weight thereof kepted and thereafter shipped aboard of Alexander Wood's ship bound for Roterdame, and consigned to Mr. Adam Duncan forsaide and letters written to ilk ane of them seperatly.” [It weighed 186 lbs. weight of Amsterdam weight, which is 11 stone 10 lbs.]

On a petition from the Shipmasters of Banff the Town Council authorize a charge of 6d. Sc. on every ton of goods imported, for behoof of the Seamen's box, being for the subsistence of the poor. The seabox had fallen into desuetude in Banff, but the custom existed, the Petitioners alleged, in all seatown free burghs within this kingdom.

At the Head Court held this year the whole burgesses were called three several times at the most patent door of the tolbooth, when it was found that 22 were absent (these were fined £4 each for defect of suit, and the like sum for defect of personal presence), 52 were excused, and 67 were present, there being in all 141 on the roll.

“ The trade of the place [Banff] is no greater than it was severall years ago, except by strangers and outlandish men, who are not freemen, but of neighbouring borrowes and landward, who steall out and in their goods for export and import, without the least shadow or show of advantage to this burgh.”

August 16.—Letter from Mr. Alex. Andrew, factor in Rotterdam, that the town's bell had been cast, and weighed 287 lbs., and the balance was 196 gilders 12 stivers, for which he had drawn bill for £19 4s. 5d. Stg.

September 13.—The Dean of Guild's expenses “ attour the fines ” at Marnoch Fair, Cornhill's market, and Summerive's Fair are £11 10s. Sc., being £2 2s. 10d., and £8 18s. respectively.

October 4.—The Head Court, considering that the founding of one of the kirk bells cost the town £230 13s. Sc., overture a scale of charges for their re-imbursement : 30s. Sc. for ringing the bells at the burial of a burgess, or his family, with 16s. Sc. additional if the bells are rung double, and 12s. additional if the bells are tolled or chimed.

1719.

March 23.—The Magistrates allow out of the Guild box £15 Sc. to Margaret Lowie, going to London to her husband, as "charitable supply or help and subsistence in her tedious journey."

April 30.—A party under a commander has come to quarter in the town for deficiency of cess amounting to £306 Sc.

May 4.—The money for payment of the cess is raised.

May 4.—"The said day Paul Keith, precenter and master of the Musick Schooll, presented to the Magistrates and Council a new composed tune called ' Banff ' tune, dedicat to the Magistrates and Council, for which they ordain their treasurer to pay him 12 libs. Scots."

June 20.—The Weavers petition the Magistrates for liberty to erect a loft in the church. In 1714, in answer to their petition, they were allowed to erect a loft "in the south-west corner of the kirk, from the breast of the common loft to Bracco's loft, to the southward of the loft erected by the Hamermen, Taylors, and Wrights, in that west [waste] place." These Trades refused the Weavers the liberty of their loft's "footgang," so the Weavers now resolve to make "their entry on themselves." The Magistrates consent, and "ordanis the Weavers to build and erect the frame and modle of their loft, so that those under them be not anyways disturbe with the noise and dine of their feet." The Magistrates recommend the Weavers to obtain the sanction of the Kirk Session.

Anent surveying St. Ruffus' Fair at Keith, it is found "as the old iron gage for the long and short elne is somewhat bending and may by bending be rendered shorter or longer, the Dean of Guild is ordered to make one of strong tymber that will not bend nor bow."

The Dean of Guild's expenses at Fordyce market £12 12s. 6d. Sc., and fines £5 1s. Sc.

November 2.—“Als much of the green fringes that was formerly about the cloth which lay before the Magistrates is allowed as will goe about the pulpite and the latrone.”

1720.

January 16.—Letter to the Magistrates from the Secretary of State to put the laws in execution against all non-juring clergy within their jurisdiction, whether they be of the Established Church.

March 2.—James Raney, piper, and William Anton, drummer, are complained upon for being remiss in going through the town with pipes and drum. As William Anton cannot conveniently beat the drum on rainy nights he is ordered to beat it in the tolbooth with open doors and windows.

April 22.—The Head Court orders “that the land marches and privileges of the Burgh be furthwith and immediat visited and perambulat.”

August 6.—“Paid the kirk officiar 18s. Sc. for ringing the kirk bells upon the first instant the day of His Majesties accession to the throne.”

August 29.—“Upon ane supplicatione given in for Andrew Hutcheon, shoemaker, craveing his Burges Act, the Magistrats and Councell admits him burges of his own trade as shoemaker allenarlie, upon consideration he is to set up and to incorporat amongst the Shoemaker craft within this burgh, and in respect he is to marrie Helen Sinclair, second lawfull daughter to John Sinclair, burgess of Banff, and ordains the clerk to extend his burges Act, and not to deliver the samen till after the marrieing, he paying £3 Sc. for his composition to the Thesaurer.”

September 13.—“The Magistratis and Councill committs to the provost and Baillie Syme to agree with ane partie of souldiers for intimating quartering on the deficients in Dean of Guild Maver’s Stent Roll, and that als easie as can be agreed that the said cess may be got in.”

October 1.—“The Head Court condescends that the Magistrats and Councill common, agree, and condescend with Bracco anent ane sett and lease of years of the Neither part of the Salt Loches to be sett to him for ane yearly ducty and to apply to the Conventione of Burrows for their concurrence and authority to set the said lease and terms thereof, reserveing the common roads, ways, and passages to the Scholars’ butts. The Court renews ane former Act anent the building of ane draw well at

the Cockstool, and of new enacts that there be ane well build there for the use of the Nether part of the burgh. The Court enacts that the well at the head of the South Path and the King's Well be built up above the ground by the nearest inhabitants and those that have benefite therby and be stented therefor."

November 12.—"This day produced ane proclamation anent ships comeing from France for preventing the infection and pleadge to be read at the severall paroch kirks."

December 3.—"Produced a letter from the Comittee of the Royal Burrows anent the plague, with paragrafs of the Acts of Parliament concerning the pestilence."

December 29.—William Duff of Bracco represents that it be recorded in the Town Council books that he had ceded two seats belonging to him for two other seats, and that he claimed right to a seat possessed by George Leslie of Burdbank, all in the north and east end of the kirk. He also craved that a seat be removed to another part, as he had right to the ground from Provost Stewart, that thereby the said William Duff might have a convenient burial place. The Council consent.

1721.

February 4.—No tradesmen hereafter to be admitted freeman burgess to his own trade unless he be found to have served his apprenticeship, also served two years as journeyman and have the approbation of those of his own calling.

February 18.—Extraneous persons entering burgesses of Guild shall pay as composition £3 Stg., and £4 Sc. to the Guild box.

May 27.—"The Majestrats and Councill commissione to bring home from London nyne yards fyne black welvit for making ane new mort-cloath, with black twisted silk fringes, and als much English say or shalloon as will lyne the samin."

June 17.—"Orders the provest and Ballie Syme to speak to John Reid, cloack maker, notice the kirck knock, and report what will be needfull to cause her right."

A A

1722.

June 26.—“Paid James Ramsey 16s. Sc. for going to Germach anent ane roof to the church. The timber for repairing the kirk being ready and brought down to Germoch the Council has therfor comissioned Ballie Syme, George Burnet and James Allan, wrights, to agree on the pryces of the timber trees for roof, and singall daills for sarkin, and to gett als long a day for peyment as they can posably.”

July 14.—Bailie Syme agreed for 120 trees of 28 feet long, 8 inches square at the great ends, and 6 inches at the small ends, at the rate of 54s. Sc. for each tree, to be delivered at Germoch. The cost thereof £324 Sc.

November 10.—Paid £69 12s. 8d. Sc. to Robert Duncan, skipper, for freight of the kirk timber from Spey to Banff.

November 17.—“Paid to John Allan for the Streat Path reavell erected by him £15 3s.”

December 22.—The Treasurer is ordered to pay in £19 1s. 3d. Stg., being part payment of King's Cess, and the same, being put in a bag, to be sent to Alexander Catto, postmaster at Aberdeen, with orders to him to forward the same to Mr. Andrew Hay at Edinburgh, to be paid in by him to the General Receiver, and to procure from Mr. Catto a letter on the receipt of the bag, and to order him to send the same by post to Edinburgh to get receipt from Montblairie [Mr. Andrew Hay].

1723.

Patrick Duff of Iden [Eden] gives a gratuity of ten guineas to the town on his lady [Mrs. Margaret Duff] being served heir to her grandfather [Alexander Duff of Braco].

“The Equie due by the town to be sent south with the first shour bearer that goes from this to Edinburgh.”

October 8.—Head Court convened, and guildry also present, to consider proposals made by Braco to give in excambion for the Sea Lochs some lands of his to the extent of 20 bolls bear of yearly rent. “The haill magistrats, councill, and gildry, and trads, haveing wisited the said lands and considered the samen with the good and benefit of the

town by the said exchange, they doe by unanimous concent agree to dispoen to Bracco heritably and eradimably all and hail that there comon land called the Salt Lochs including the Butts, marched as follows: Haveing the new butts set apairt and marked out for the schollars one the north, the dykes of my Lord Banff and Bracco's garden at the west, Bracco's Uper and Neither Guishaughs and the road to the King's Foord att the east, west, and south parts, inclouding the weniall at the south parts of Bracco's gairden and corn yeard and betwixt the two gwis haughs and the haill loughs and lands interjected with Bracco's lands of Neither Dauhaugh and two Guishaughs, and which lands at least a pairt of them beneith the Neither Dauhaugh is bounded one the east by the found of the old dyke built by the deceist John Gordon, ballie of Banff, first taksman of the said loughs, in sae far as it remeins inteur and wher it faills in ane straught lyne from the south-east corner of James Cock, town's clerk, his yeard dyke to the remaining pairt of the said old dyke [Braco being obliged to leave ground for the use of the scholars] and to make ane sufficient road from the said new buttes up the back and outer syde of the dyke to be built and erected by him twell foot English measure broad from the said butts southward over the Dogie's Lough, soe called, and frome thence reserving the ways up the water to the Gellie and King's foords as formerly used, reserving all the ground without the found of the said old dyke to be comontie to the toune and Bracco." The lands Braco gives in exchange are "his crofts in the Newlands being seven bolls of yearly rent, item that piece of land near the Garrislott lying at the head of the Broad Croaft and Broade Rige paying of yearly rent 5 bolls 2 firlofts bear, also two crofts of land in the Bearsyde one paying 3 bolls 3 pecks bear and the other 4 bolls 3 firlofts bear, and the said William Duff to allowe to the inhabitants of the burgh of Banff present and to come to wine and carrie away clay furth of the Cleyholls at the back of the park of Sandiehils for plestur." Braco has also "peyed in ten guinies to the dinagild and eight to the Convener for their respective poor."

October 12.—"Paid to Madam Lathur, relict of the deceast Mr. Robert Lather of Rossraig £26 10s. Sc. as the pryce of 16 chears, wherof 15 couered with carput, and one arme chear, couered with grean cloath, for the use of the Councill House."

October 19.—Several of the inhabitants being summoned before the

Lords of Exchequer the Council ordains "that the samen be defended wigorouslie at the publick expence."

December 21.—Letter from Whitehall commanding the Magistrates to be vigilant in discharging the duty and trust which the laws have reposed in them "for repunishing and preventing the abucess which are of so evill and pernicious consequence to the established religio anent Popish Clergie, meating houses, and Schools, &c."

1724.

January 4.—"The said day reproduced the above letter with ane execution against Alex^r. Muray, preacher, charged personally apprehendit to compear befor them to the effect therein specifiet. Compeared the said Alex^r. Muray and craved ane further tyme for producing his letters of orders for preacheing, which wes granted to Tewsday the seventh instant, and the Council to meat that ilk day to put the saids letter to execution."

January 7.—"The said day Mr. Allexander Muray being again called compeared not, the Magistrats and Council be reasone therof ordains instantly the meating house in which he preaches to his ouditorie to be closed up and dischargd the said Mr. Alex^r. Muray from preacheing, but in the termes of the Acts of Parliament and of the Lords Justices ther letter, (which is in the Provost's hands), in all tyme comeing, and ordains Ballie Clerk and Dinagild Stuart to deliver to Mr. Alexander Muray the above sentence."

May 9.—The Magistrates agree to liberate George Watson from prison, he and his father agreeing that he shall banish himself from the town, never to return. If he return "to be market on the cheek with ane red hout iron or delivered to the first recruiting officiar."

May 18.—Paid to John Reid, watchmaker, £80 10s. Sc. for the kirk clock.

July 18.—Braco applies to a Head Court for sanction to straighten his marches by carrying up his canal in a straight line from the sluice in the new bulwark towards My Lord's garden, "and seeing the place called the Dogie's Pott is deap and wet ground he desires liberty to build a little farther down on the common betwixt him and the town to have his dyke on a sure foundation, and if he has any advantage he is to pay the value as agreed on." Granted.

1725.

January 16.—“James Shipheard, workman, to be banished the town for theiftuous practises.”

February 23.—“The matriculation town's beareing armorial,* sub^t. by the Lord Lyon, of this burgh of Banff, presented be the clerk in counsell, and put into the cartor kist.”

May 10.—There being several disorders committed within the burgh, and it being long since there was any nomination of constables, four are now appointed.

September 4.—“Robert Ballie, post, to be paid £15 Sc. off sallarie ane year after this dait for his post fie, in concert with other, for goeing weeklie from Banff to Frasersbrugh, back from thence to Banff, and then to Elgin, and to returne back to Banff against Saturday everie week.”

October 2.—“The Head Court of unanimous consent condescend ane stent and taxation be imposed on the burgh for payment of the town's burdens and necessar affaires, to witt £61 13s. 4d. for ane year's @rent to the minister, £21 15s. for yeares @rent for the money dew the gild box, £191 10s. for ane yeares king cess, £50 for the officiars', drumer's, and piper's sallaries, £31 Sc. for ane comon officiar's fie, £200 Sc. to be wared on the harbour of Guthrie, £16 as ane year's sallarie to Robert Ballie, post, with £5 14s. 6d. for collector's sallarie, extending to the soume of £577 16s. 10d. Sc. which they ordaine to be proportioned, one half on the heritors and land rent, and the other half on the traid, viz., traffequeurs, inhabitants, heritors and traidsmen.”

1726.

November 2.—The Magistrates ordain that all dunghills be removed from the street upon the penalty of £4 Sc.

1727.

January 7.—“William Souter and Peter Junken wer admitted Burghers and guild brothers in consideration that they had taken Patrik Blair preasoner after he had made his escape out of preasone, with thanks for

* See copy thereof, *postea*.

there good service in the affair, with half ane croone to each of them to drink the toun's prosperitie."

October 28.—Paid £28 11s. Sc. for wine spent on the king's coronation day.

The Dean of Guild is ordained to take particular care "that noe chapman, unfreemen, gett liberty and freedom to trawell thorow the town and sell goods therin except on common mercat dayes."

December 16.—"The said day Patrick Mill and William Monro being conveened before the Councell upon ane alleadged undertakeing of ane Duall, the Magistrats and Councell ordains there persons to be arreasted untill they fynd suerty to the pace and ther good behaviour ilk ane of them to vther in the terms of law and according to the Acts of Parliament. In obedience wherunto the said Patrick Mill fand Mark Maver suerty and the said William Monro fand sicklike James Mark, cautioner, and both the saids partyes compearing inacted themselwes to the effect forsaid and in testimony whereof they have sub^t. thire presents heareby oblidgeing the parties to relive there said cautioners. Subscrib^r. Patt. Milne, Will. Monro, Mark Maver, James Mark."

The number of meetings of Town Council in 1727 was 44 (at some meetings the items of business were nine in number). Number of meetings in 1702 was 42 ; in 1685, 14.

1728.

January 20.—John Cameron, prisoner, is convicted of horse stealing. In virtue of a letter from Colonel William Grant of Ballindalloch, he enacts himself, if liberated, to become and continue common servant to the burgh, and never to remove therefrom, under the pain of death.

January 27.—"To Wm. Fleming, painter, for puteing one the King's name and crown one the Councell house and chimeney 40s. Sc."

February 3.—"The Magistrats and Councill for diverse serious considerations and preserving of good order within this burgh discharge all persons whatsoever that are not burgesses *sui status* or gild brothers to brew and retail ale, aquavitie, &c., unless they pay yearlie the sume of £4 Sc., and all brewers of whatsoever kynd or natur are hereby discharged from alloweing servants, apprentices, and jurneymen from playing at

cairds and dyce under the penalty of £6 Sc., wherof a third shall go to the informers."

March 31.—"Ordained that the drum go thorow the town and intimat to the haill inhabitants that they keep there beasts, horse, nolt, sheep, and other beastiall from vther mens ground, grass, and cornes, under the penalty used and wount."

April.—Head Court held. 175 on burgess roll. "The Magistrats excuses the haill absents and assolyes them of ther fynes."

June 15.—Decreet given before the Lords of Council against the Treasurer of Banff, and in favour of the Kirk Session of Old Aberdeen, for payment of an annuity of 10s. Sc. out of Rothiescroft, in or about Banff, since 1685. The Magistrates order the decreet to be suspended. [On 24th October, 1724, the Magistrates received a letter from the Principal of King's College anent a mortification of 10s. furth of Rothie's Croft.]

August 10.—"Intimation made that no forreign dytts or bodles lettered be imported or allowed to pass in payments, and havers thereof shall be lyable in ane pecuniarie punishment."

August 10.—"The Magistrates appointed intimations to be made throughout the haill parioch kirks of the shyre that upon Thursday the 29th of August the competition for the respective best linen webs in termes of the Secretaries letter will be made at Banff."

November 2.—"William Gordon of Farsken fined £60 Sc. for makeing use and weighting of goods with ane defective ston weight in Hallow Fair."

1729.

March 11.—The three officers are fined £3, £2 and £1 Sc. respectively for allowing William Robertson, thief, to escape.

May 10.—"John Murray, in Old Meldrum, was agreed with for ten pounds Scots of set sallarie for each year he serves the town and a new coat faced with yeallow and pair shoes leather heilled and ane pair of stockens and ane hatt and freedom to goe thorow the town to gather up his Yull wages by himself alon, and ordaines the Drumer to goe with the Drum ilk night at eight aclock each night and four aclock each morning preceisly, and ordains the bell to ring at nyn at night and five in the

morning and the pip to goe at ten a'clock at night and six ilk morning, and orders the Thesaurer to furnish him the coat of read and the lynning of the sleives of yeallow with the haill others, att the easiest reatts possible."

July 26.—"Charles, Earle of Peterburrow and Minmouth" gives ten guineas to the poor.

September 20.—"The owners of mortercheyn horses are ordered to keep them closs within their houses day and night, and it is hereby declared lawfull and liesome to any person whatsoever to put to death any maner of way such horses as shall be found goeing one the liberties of the burgh."

October 25.—"Paid to William Mideltoun, merchant in Montrose, suplicant, thirtie shilling Scots."

December 21.—The town's bear (17 bolls 2 fir. 3 pks.) roupd for £5 15s. Scots for each boll.

Two sealls of brass given to the Clerk.

1730.

February 14.—"Paid £8 7s. Sc. as the price of 19 bottles wine furnished to the town in October last at ane entertainment made by the town to the Earle of Findlater and others."

February 21.—Commission given to a ship at Bordeaux :—"ane hogshead of claret and ane quarter cask of white wine for the town's use."

February 28.—The Dean of Guild and officers are appointed to repair to Marnoch fair on Tuesday next to survey the weights and measures.

March 21.—"The Councill haveing considered the great service that Collonel Grant does to the countrey by his Independant Company's dilligence in discovering rouges and other vagabant persons, they order the Clerk to draw a letter to be sent to Collonel Campbell to thank Generall Wade for being instrumentall in establishing of the Company, and to use his offices for getting them continoued."

May 16.—"Course gray cloath is to be furnished to James Watson, decayed burgher, to make a coat, the price not exceeding 16s. Sc. per eln."

August 1.—Mr. Alex. Coutts and Company, merchants, Dantzick, send a fine brass drum with the town's arms upon it in a present to the burgh.

August 15.—The Magistrates and Council grant the petition of John Miln at Miln of Boyndie, who had repaired a house in the burgh, and applied for the conveniency of a stair towards the street. The stair is limited to three feet in breadth from the side wall of the house to the street.

September 19.—The Magistrates and Council resolve to use their utmost endeavours to discourage the importing of foreign Brandy and Spirits into this kingdom, this being very destructive and pernicious to trade, and to insert this resolution in the *Caledonian Mercury*.

October 5.—“Compeared William Cruickshank, late in Waterside of Glass, and bound himself to serve the burgh in the station of a common servant and executioner during all the days of his lifetime, and that he shall never desert the said service, under the pain of being banished the kingdom, and being lyable to a prosecution for any of the crimes he has been guilty of, preceding this date, to the outmost vigour, and he is hereby entitled to the usual sallarie payable formerlie to any person serving in the said station and haill other emoluments belonging to the said office, and that he shall have a new coat on the Burgh's expences once in every two year, together with a pair of new shoes and a pair of stockings yearly and a house free of rent, with power to him to uplift and collect the said emoluments due to his office att his own hand.”

“The Magistrates and Council considering that Arch^d. Simson, late Treasurer, had at the desire of the Magistrates advanced £17 8s. Sc. for defraying the expence and charges of an horse and an guard of four men and the said William Cruickshank his personall charges in going to Aberdeen with him by order of the Council to execute a criminall there, with the expence of an express to Thomas Innes of Muryfold concerning the samen, therefore they agree that the samen shall be allowed.”

November 3.—The Provost intimates to the Council that he had persuaded Mr. Innes, minister of Banff, to agree that in the decret of locality to be obtained at his instance against the Heritors and Town, in place of £80 Sc. formerly proposed for communion elements he should accept £60 Sc., he getting some compliment and the thanks of the town for so doing. The Council approve, and propose to grant Mr. Innes a tack of part of the town's common good on such terms as may be agreed upon.

1731.

February 27.—The Council grant £3 Sc. to John Cow, post, who had lost his horse.

May 29.—“It being represented that when souldiers are quartered in this burgh they are frequently quartered upon persons irregularly and severalls exeemed and others imposed upon the Council, therefore a quarter-master is appointed, but none are to be quartered upon widdows, only they are to be charged with a proportionall part of expences to assist these upon whom the souldiers are quartered.”

After the election of provost and other officials the Magistrates and Council name Alexander Strachan, merchant, and three others to be Constables of the burgh for the ensuing year, and appointed them to attend on a certain day to accept of the said office and receive their batons and instructions.

September 25.—“The Magistrates and Council appoint Patrik Forbes, dean of Guild, to repair to the mercat called New Milns mercat (which is to be held at Little Kilminity on Wedensday next) in order to survey such weights and measures as shall be there found, and the deacon of the Shoemakers and one of the officers to go with him.”

September 25.—“Compeared Alexander Pantoun, late chapman in the parish of Turreff, and judicially enacted himself voluntarily to serve this burgh from the date hereof during life as Common Servant and Executioner, and enacts himself, in case he shall desert himself or withdraw from the town without leave, that it shall be in the power of the magistrates of the said burgh to inflict the punishment of Death upon him, he being duely convict thereof, and to apprehend his person summarly, wherever he can be apprehended, after such desertion, and on the other hand the magistrates and council hereby intitle him to the whole profites, emoluments, and casualties belonging to his said office, according to custom.”

October 2.—The Head Court have considered proposals for an excambion with the Laird of Braco. The Council consider an Act of Head Court (5th October, 1723) whereby Braco is to give lands of the yearly rent of 20 bolls 5 pecks bear in return for the Salt Lochs, which was only £19 Sc. of yearly rent, this being most beneficial and profitable

for the town. The Head Court in 1723 agreed to the excambion on condition that Braco level that part of the lochs reserved by the town in place of the Butts of Banff, and that he leave a road without the dyke of the ground, so to be enclosed by him up to the Dogie's Loch, twelve feet broad, English measure, and from thence up to the Gellie and King's fords, the road to be preserved conform to use and wont, and which ground so to be left without the dykes were thereby declared to be common to the town and Braco, and the Magistrates and Town Council and inhabitants having considered that upon 4th October, 1729, two contracts of excambion were execute between the Magistrates and Braco, whereby Braco disposed to the town several acres of burgh rood ground, to the extent of 20 bolls and 5 pecks of bear yearly rent, and that the town dispone in favour of Braco the Salt Lochs and Old Butts, being of yearly rent £19 Sc., and Braco had also paid ten guineas to the guildry and eight guineas to the Trades' Box, and that he had levelled and made a sufficient road towards Doggie's Loch, twelve feet broad and upwards, and had also left the road as usual from thence to the Gellie and King's fords up to the water side, and which was to be commonty to all parties conform to use and wont, therefore the magistrates, &c., and whole inhabitants now (1731) ratify these two Acts in all points, and find that the Laird of Braco has sufficiently levelled that piece of ground for the use of the scholars in place of the butts, and that the roads and ways are well and sufficiently made.

October 9.—Paid 29s. Stg. to the Dean of Guild as expenses in surveying Summereves Fair, and 10s. 2d. in surveying New Milns market. The Council enacts that no person shall have the use of the town's bells to their burial unless they take one of the mortcloaths.

Paid to Adam Pantoun, merchant, 4s. 8d. Stg. for liquor spent in his house by the Magistrates at the time of visiting the marches 'twixt the town and other heritors.

October 23.—Hallow Fair falls on Tuesday and Wednesday next week. The weights of the burgh and standard yard to be carried to it.

November 10.—Four shoemakers were formerly fined from £6 to £12 Sc. for "exerceing merchandise within the burgh before they were admitted burgesses of gild, whereby they incroached on the priviledges of the burgh." Having now procured their freedom the fines are discharged.

December 3.—"Paid John Chalmers, glover in Keith, £3 Sc. to supply his necessitys."

Town Councillors regularly qualify to His Majesty, King George, by taking the oaths of abjuration, allegiance, supremacy, and assurance, and subscribing the same.

1732.

February 12.—The treasurer is ordained to pay sixpence to a suppliant.

"The magistrates modify George Forbes, merchant, his trade for last year to £2000 Sc., and to be proportioned in cess thereto, instead of £3000 at which he was stented.

March 4.—"The Council commission to Burdeaux for the town's use ane hogshead claret wine and half ane hogshead white wine to be shipt on board the Lyon of Bamff, John Turner, master."

March 4.—The Dean of Guild appointed to survey Marnoch fair on Tuesday next.

April 15.—It being moved that there is £19 Sc. due yearly to the minister of Banff by the town, conform to a decreet of Platt, lately obtained at his instance, it was resolved that the same be taken yearly out of the common good, as also on account of several good services done by the minister, it was resolved to pay him yearly during pleasure a gratuity of £20 Sc., and that the same be laid on yearly with the cess. Braco and others dissented, in respect their lands were already affected with a proportion of communion elements and full fifth of the yearly rent, consequently the whole teinds were exhausted.

May 6.—Adam Pantoun, merchant, offers on his own charges to make a sufficient passage for carriages from the sea side upon that place in the Links called the Old Infestment. Agreed to.

"Last August were delivered out of the Town House to Alex. Keith, shipmaster, 4 gunns, and to Mr. Russell, merchant, 1 gunn,—to be re-delivered on demand."

July 22.—The Earl of Findlater had caused set up a fishing boat at the Burnmouth of Boyndie, and had by his tenants and servants fished salmon there, in which fishing the town of Banff has a right of property. The town's records to be inspected to clear the matter.

July 29.—The provost is repaid the 10s. 6d. Stg. he advanced as the town's proportion of the present of money given to the Governor of Damascus.

August 29.—“The Magistrates and Council ordains the town officer to summond in the town's horses, to carry away the heap of rubbish lying beside the cockstool, being the rubbish of Jean Fiddler's house.

September 16.—“John Lowrie is fined £12 Sc. for labouring, delving, and soweing a considerable piece of a green balk or meadow ground belonging to the common good of the burgh.

September 30.—“It is enacted that no person presume to buy any sort of goods such as flesh, tallow, &c., untill the mercat be proclaimed each mercat day by ringing the bell, which the officers are appointed to do every mercat day at nine of the cloack in the morning from the first of October to the first of May, and at eight in the morning from first of May to first of October, a petition having been presented in name of the Incorporated Trades of Banff complaining against persons forstalling in buying up commodities, particularly fleshes and tallow, before the usual hour of beginning the weekly mercat.”

October 7.—James Wood, merchant, accused of labouring a balk lying betwixt some lands belonging to Braco and the town, and adjecting the said ground to Braco's land, whereof he is at present tacksman. “He confessed the balk was formerly ane eln of breadth. The Magistrates ordain him to leave the baulk ane elne of breadth, and also decern and ordain the said James Wood to cleanse the street of the burgh from the Gray Stone to the end of the Meeting House, from one side to the other, and from house walls to house walls, and carrie off the muck, stones, or other rubbish, against the first of Decr. next, and failing thereof to pay to the treasurer for the town's behoof the sum of 30s. Stg.”

October 14.—“Paid George Warrax £4 Sc. for makeing a vessell with iron girds and handles for the prisoners' use.”

October 18.—“The members of Council considering that severall men in arms were reported to be lurking in the night time in and about the town who they have reason to believe had a view of attacking the town house, and setting at liberty severall vagabonds and other loose persons, prisoners within the tolbooth, therefore they ordain a guard to be kept within the upper tolbooth by the inhabitants in turn ; persons failing to pay a fine of 20s. Sc.

October 18.—“The Magistrates revise the Alphabet or Rule for collecting the customs and shoar dues of date 21st Oct., 1693, and agree to continue the samen in full force with the following alterations: For

each dakker of leather freemen shall pay 3s. 4d., unfreemen 6s. 8d. Sc. ; Two top sail vessels, except freemen, pay £1 Sc. ; One top sail vessels, except freemen, pay 13s. 4d. Sc. ; Each boll of coalla, consisting of 36 stone, imported and sold—freemen pay 2d. Sc., unfreemen 4d. ; Each beef sold to freemen and weighed in the weigh-house to pay 2s. Sc. ; Any stranger boats that bring in fresh fish to serve the place are to be free of any dues, except their anchorage, and freemen to pay nothing for what fish they buy for their familys ; For each stone of iorn weighed in the weigh-house freemen pay 1d. Sc. ; Each 1000 sclates exported 6s. 3d. Sc. ; All sclates imported free ; That at each buriall, where the double bells are rung, they likewise pay for the hand bell, whether called for or not, 6s. ; Each proclamation of roup, goods lost, &c., there be payed for the hand bell, whether called for or not, 4s. Sc. ; Each gross of bottles brought for sale 1s. Sc.

October 21.—“ Petition to the Magistrates from David Couper, officer of excise at Bamff, shewing that upon Wedensday night last the said David Couper, while he was in the exercise of his office and duty, was attacked and seized upon the High Street by a certain number of persons, who pretended to be the town's guard, and by them forcibly carried off from his duty to prison, and there detained for some time.” Thirteen witnesses were examined of whom five could not sign their names. One witness was Francis Peters, Sergeant of Capt. Jackson's Company of the Regiment of the Welsh Fusiliers. The Magistrates find that the alleged imprisonment was groundless.

October 18.—The members of Council appoint that the town's arms be given out to the several inhabitants who call for the same upon their receipt, to be delivered back upon demand or 20s. Stg. as the price of each gun, and 10s. Stg. for each sword. Delivered to the Dean of Guild the key where the town's arms lie, in order to give out to the four constables six swords and six guns to each, and the rest to lie in the house. Left under the Dean of Guild's care in the house or closet, within the tolbooth, where the town's arms are kept, “ 30 guns, 24 swords, and 2 shables, or scimiters, 16 pistolls, and 2 durks.”

1733.

January 4.—Paid £10 10s. Sc. for bottles for bottling the town's wine.

March 3.—“Ordered George Abernethie, treasurer, to write to John Hamiltoun, at Burdeaux, to ship for the town's accompt, on board John Turner's vessell, one hogshead claret wine at or about 600 livers per tun, and half hogshead whitewine, at or about 250 livers per tun.”

March 10.—John Morrison appointed one of the town's four officers, and to receive a coat, hat, and sword.

March 29.—“There being 30 pynts claret wine belonging to the town in hazard of perishing, to prevent loss to the town the Magistrates and Council exposed the same to sale, by way of roup, and it was sold for 11s. 6d. per pint.

“The Dean of Guild is appointed to convene the town bakers once in each quarter of a year, and cause them depon that they shall not mix their flour with bear meall, rye, or any other grain, and that they give the samen weight, and of the samen finness, as they doe in Aberdeen.”

The Head Court recommend to the Magistrates “to inclose that part of their common good, called the Lint potts quarter, adjoining to my Lord Findlater's lands of Coldhome with a dyke, close by the King's highway, till it come to the first hole of the Links, and thence to run a dyke down to the seaside. They also recommend to the Magistrates to let out some of the low ground adjoining to the Earl of Findlater's lands of Boindy, and that for some few years without rent, in order the samen may be improven and brought in to corn land.”

April 21.—“The Council allows the Dean of Guild to pass the dues of the bells for ringing at the funeralls of the deceast John Miles, serjant of a command of soldiers lying in this place.

May 15.—“Two servants are fined £50 Sc. each for mutuall stricking, beatting and blooding each other at the publick cross.”

A complaint is made that James Wood removes not the “rubbage” from the head of the town. He engages to do it within a month, under faillye of 40s. Stg.

September 15.—“The Magistrats and Council appoint and ordain the respective incorporat Trades of the Burgh to meet 'twixt this and Tuesday the 25th curr^t. and choice their severall deacons of craft, and appoint the said trades to choice their conveener for the ensueing year upon the said 25th curt., in presence of one of the magistrates of said burgh. [Election of new Councillors—by the members of Council—on 26th curt. Magistrates and Office-bearers to be elected on 27th curt.]

September 15.—“The Magistrates and Council oblige the taliour employed for makeing the officers' and other cloaths, belonging to the town's servants, to keep and mend the mortcloaths yearly, without bringing the town to any charge.”

September 22.—Paid to Alexander Tarras £52 18s. 6d. Sc. for wine and other necessities furnished by him to the town's use.

W. E. fined £5 Stg. for buying 7 lbs. bohea and 12 lemons, which cost £2 2s. Stg., for 3s. Stg., for the tea, and 1s. Sc. for the lemons.

November 3.—The Dean of Guild has £12 Sc. in his hands after allowing his expenses at Hallow Fair. [This owing to the number of fines.]

November 10.—The Council give £12 Sc. to repair “Bennett's Well,” lying on the west side of the street which leads from the town to Sandiehills.

Nicol Morison, Corncairn, appears to answer a charge of drinking and playing cards at unseasonable hours. The trial had hardly begun when Morison entreated the Magistrates to adjourn the Court till 3 o'clock afternoon, “that he might have freedom to make his mercat.” The Magistrates consent. Morison duly re-appears, but the Magistrates commit him to prison, and adjourn the Court till next day, as he and the witnesses were in drink, and not capable to be examined. Next day he was fined £3 Sc.

The Magistrates enact that all found playing cards in a public house after 11 o'clock p.m., be fined £3 Sc.

1734.

March 2.—The town has satisfied the Guild box for £230 18s. Sc., advanced by the Guildry for buying the kirk bells, and for which the town granted bond in 1718.

March 16.—Given, by order of Council, 18s. Sc. of charity to a soldier's wife passing through the town.

April 2.—A cattbar or lighter to be built for the town by John Nicol in Findochty, 30 feet long in the keel, for nine guineas.

April 2.—“The provost has commissioned to France for the town's accompt one hogshead claret, half hogshead white wine, and fourty pints Frontnieang. [August 10. £8 2s. 9d. prime cost and charges of the claret and white wine.]

April 2.—“The Council, considering that the inhabitants have a custom of winnowing their corns in the high streets to the uneasiness of the people haveing occasion to pass by them, therefore they discharge the inhabitants to do the like under the faillie of 20s. Sc.

“Bracco is allowed to make a drain from the water of Diveron into a canal which he is makeing out in his park, which drain shall go through a piece of the town's commonty.”

Owing to workmen's dishonesty and negligence the Town Council appoint a convener and four assessors to authorize persons to work as carriers or porters. Charges:—“For each single man's burden from the shoar to any part of the head of the town, 6 pennies Scots; For two men's burdens, from Guthrie to any part of the town, 16 pennies Scots.”

October 23.—Total cost of the new boat £15 7s. 8d. Stg. (including £5 11s. 2d. Stg. for oars, &c., and 7s. 6d. Stg. for “bringing her to Banff.”)

December 18.—The Magistrates and Council empower Alex. Keith, bailie, to purchase a hogshead French claret wine, in France, for the town's account, at 500 livres per tun, prime cost.

1735.

June 4.—“The Head Court consider the petition of William Duff of Bracco anent altering the public highway from the King's Foord to Banff, and, out of regard for the said William Duff, unanimously agree that the said road be so far altered as to go up the waterside of Doveran from the King's Foord till it come to the north point of the Litle Island, belonging to Bracco, and from thence to go across the Davoch haugh westward, makeing a paralell line to the new designed front of Bracco's house, which road terminates in the road that leads from the town of Banff to the Over-rack, and straight in the said road as it presently leads by Bracco's old lodgeing, till it come in to the way as it leads into the town of Banff, and that for the accommodation and convenience of the said William Duff of Bracco. The Head Court give the Magistrates and Council authority to carry out this proposal, they keeping always within 40 paces of the meiths above described, and William Duff being obliged to make the road 20 foot broad at least.”

June 14.—Braco returns thanks for the liberty to alter the road and sends £10 10s. for Guthrie Harbour. He promises “to make a sufficient

road down by the water of Diveron to that part of the town that leads by the Grammar School."

July 19.—Paid £6 8s. 3d. Stg. for wine furnished to the town.

July 31.—Benjamin Hay, a stranger, fined £12 Sc. for beating and bleeding of Provost Shand's son upon the High Street, without provocation, and to be imprisoned till payment be made, and he is ordained not to make any show in the Burgh of the dwarf or miracle of nature, as he calls it, which he has, after his liberation from prison.

Benjamin Hay's fine, on his petition, is mitigated to £4 Sc.

Paid £4 4s. Sc. for glasses furnished to the town's use, and 19s. 6d. for wine to the town's use.

November 29.—All persons forbidden to water their beasts with the buckets of Bennet's well, there being a stone trough at said well. The well had buckets and a chain.

1736.

March 17.—Compeared, in presence of Bailies Innes and Abernethie, Margaret Robertson and Alexander Lyon in Banff, and acknowledged that they had been guilty of antenuptial fornication, and the Magistrates "in consideration of their marriage, and in name of fine and amercement, ordain them to pay £4 Sc. to William Reid, thesaurer, and that instantly."

Sir Alexander Reid of Barra gives complaint against Robert Warrax, and James Elder, posts in Banff, for conveying letters directed to him from Banff to Aberdeen, and carrying them back again. They are fined £3 Sc.

The old timber of the Hangman's house roup'd for 8½ merks.

June 12.—John Wood in Down allowed to cast 600 divots on the Gaws, at the foot of the hill of Down, to thatch his houses.

June 12.—"Petition presented by severall of the burgesses and inhabitants, complaining that the white fish brought in to this town was bought up privately and in a very irregular manner, there being no fish mercat kept. The Magistrates and Councill therefor, to rectifie that abuse, and for the good and order of the place in time comeing, hereby ordain and appoint that all fish that may happen to be brought in to the town shall be directly carried to that place of the High Street betwixt my Lord Banff's garden and the north corner of the old lodgeing

belonging to the said Lord Banff, and then exposed to sale, which is now appointed to be the fish mercat, and that no fish be bought or sold anywhere else within this burgh, under the penalty of 12s. Sc. This Act to be intimated by tuck of drum thorow the whole town, and afterwards to be battered upon the Cross."

August 7.—The Magistrates ordain that wool be sold by the same weight as butter and cheese, viz., 24 pound Amsterdam weight for each stone.

September 7.—"John Smart, tailor, in Boigwall of Cullen, craves to be admitted burgess of the taliour trade, for mending old cloaths and turning and makeing up old cloaths. He is admitted for that purpose allenarly."

December 18.—"Paid 2s. 6d. to Arch^d. Halden's relict in charity, out of the fornication penaltys."

1737.

May 25.—"The Provost has commissioned to France for a hhd. claret for the town's use." [The price and charges £7 18s. 1½d. Stg.]

June 6.—The Magistrates, in view of mobs and tumultuous assemblies, ordain that no servants, &c., be seen in the streets after 10 o'clock at night.

1738.

November 3.—"Alphabet for the shore dues revised :—

Fish boats, except Banff boats, pay for anchorage 2s.

All boats such as Murray boats 4s.

All boats above the size of a Murray boat and under 20 tunns 6s. 8d.

All boats or vessels from 20 to 30 tunns burthen, the Kinghorn boats being all included, 12s.

Each boll (36 stone) coall 2d.

Each barrell of salmon pays for shoar dues and burn iron 1s. 6d.

Each milstone 6s. 8d. Each lair stone 4s."

"Petty customs :—

All meal brought into town for retail, 2s. per boll.

Every sheep brought to the mercate for sale, 6d.

Every beef do. do. 1s. 6d.

Each stone of butter 2s., and of cheese 1s. 4d.

Each pair single soled shoes 2d.

Do. double do. 4d.

Each ox or cow brought to the mercate to be sold 1s.

Bellman's dues at each buriall 4s."

1739.

January 13.—"By the careless conduct of Alexander Steinson, present tacksman of the ferry boat, their happened yesterday a very melancholy accident * by his trusting the ferry boat to a boy, who, by his want of strength and skill, occasioned the loss of severall people's lives. He is committed to prison till he find sufficient caution for his good behaviour. He is ordered not to ferry over above 4 persons at once in a small boat, and not to detain any person on either side the water above a quarter of ane hour."

February 2.—Hhd. of claret for the town's use now given in.

February 13.—"Commission to Bourdeaux for a hhd. claret at 600 livers, by the Triton of Banff, John Turner master, for the town's use."

September 3.—Compeared Anne Mowat, lately incarcerated for being in the knowledge of putting in irons to the prisoners in the tolbooth for helping them to make their escape. She enacted herself to remove from the town within 48 hours, for all the days of her life.

1741.

March 23.—The Council petition both Houses of Parliament against the bill for pressing seamen and seafarers.

March 26.—The town's ferry boat being old and rotten, a new boat is ordered.

April 18.—By virtue of a clause in a charter of the town for repledging any of their inhabitants committing crimes within the burgh from all judicatories of this kingdom whatever, the Council resolve to take action, if necessary, in connection with the proceedings of the Justices of Peace

* A great storm visited the North of Scotland, and near Banff a boat was cast away and eight persons drowned. (Scots Mag.)

of this county against persons concerned in the late mob and riots within the burgh. The Council resolve to prosecute the mobbers.

1742.

February 1.—The provost reported that there was interest being made to have Alexander Strachan, merchant, late Postmaster, again settled in that office. The Council are of opinion that the office cannot be in better hands than at present, and they recommend the Magistrates to write the General Postmaster to that effect, and as Mr. Strachan's conduct when he was Postmaster was far from being agreeable to the town—"he was suspected of using the freedom to make open people's letters, and there seemed to be a general clamour against him on that account"—that the Magistrates take proof if he is guilty of the crimes laid to his charge.

March 16.—Paid James Cooper, smith, £4 Sc. for two pair hand shakles and two locks thereto. Paid £2 19s. Sc. for making a door to the Cross. Paid Robert Davidson, smith, £4 Sc. for making badges to the poor, &c.

1743.

June 11.—A Head Court is summoned to consider the citations before the Lords to the Magistrates and others at the instance of Colin Campbell of Carquhin, and Thomas Fisher, merchant in Inverary, relative to some meal said to have been taken out of a ship lying in the harbour of Guthrie, by a mob, in the year 1741, which tends to affect the honour, as well as the interest, of the town and community.

December 30.—Alexander Grant of Tochieniel, factor for the Earl of Findlater and Seafeld, represents that the said Earl as coming in place of the Lairds of Boyne, and proprietor of the Thanedom of Boyne, had a demand yearly on the town of Banff for the sum of £4 Sc. The Magistrates and Council reply that the demand is new, but that they should be at pains to enquire how that matter stood, and do his Lordship all justice, and that they hoped they should never have any dispute with his Lordship about that or anything else.

1744.

Patrick Dockar appointed Stampmaster for stamping all fingsrams and other woollen manufactures in terms of the Act of Parliament.*

August 11.—“Wee, the Magistrats and Councell of the Burgh of Banff, in counsell assembled, takeing into our serious consideration the destructive practice of smuggling prohibited and uncustomed goods, particularly brandy and tea, and the many fatall consequences attending that pernicious unlawfull trade, we do therefore unanimouslie resolve to discourage and suppress the same by all legall methods to the outmost of our power, as also to discourage by our example, and in our severall capacitys, the immoderate use of Tea, and all forraign commodities, and wee ordain this our resolution to be intimate and published throughout this burgh by tuck of drum, and that a copy thereof may be transmitted to Edinburgh to be insert in the newspapers.”

November 10.—The Council recommend to the provost and baillies to write to their member and representative in Parliament to aid in everything that may promote the linen manufacture.†

1745.

August 2.—The Council ordered the collector of the cess to buy as much boarskin cloath as will make a coat and breeches for Gustavus

* Letter from the Magistrates to the Clerk of the Convention of Royal Burghs anent the Custom House officers and their exorbitant fees (1740) :—

“No Custom House is nearer this than Aberdeen, which is about 30 miles distance, and the Custom House officers seldom coming to this place, the trade being but small, and they hear of no complaints, but there is a late imposition on the wool, which the country hereabout deal in—none of it can be unload from boat or ship without a land surveyor and land waiter from Aberdeen, who exact a shilling from each pack when unload for their charges. The country thinks this a great grievance, and it much discourages the woollen manufactories in this corner.”

† Letter from the Magistrates recommending Alexander Hay to the Trustees for Improving Linen and Woollen Manufactory, 6th February, 1741 :—

“Right Honble.,

“Some moneths ago wee gave you the trouble of a Letter anent Mr. Hay, who sett up lately in this place as Weaver and Heckler. We now begg leave to Renew our application in his favours as being a young man sober and Dilligent who understands exceeding well the Weaving all sorts of plain Linnen and dressing of Lint, of which he has already given very sufficient proofs. He likewyes gives out his Lint when dressed for Spinning, and has as wee are credibly informed this last winter employed upwards of 200 poor people that way and gives such directions to the spinners that the Yearn they spin to him is farr preferable to any they formerly made. So that he will be of considerable use in advanceing and bringing to greater perfection our Linnen manufacture in all its branche's, if he meet with proper incouragement. Wee are with the greatest respect, &c.”

Morison, shipmaster, a decayed gild brother, and to furnish lining, buttons, and other furniture to the same.

August 6.—64 bolls oatmeal bought for the use of the town's people at £6 10s. Sc. per boll.

1746.

August 4.—The Council resolve to build a guard house for the military upon the west wall of Lord Banff's old house near to the Cross, as there is a great necessity for such a house.

August 13.—“The old wall of Lord's Banff's great lodging near to the Cross has become so ruinous that it's hazardous to pass by it, there being a great many loose stones ready to fall, and a young girl was lately almost crushed to pieces.” Masons are appointed to report upon it. They report that about seven feet of the west wall of the old lodging fronting to the street must be pulled down, and that afterwards the wall be pinned and levelled with stone and lime on the top. The Council order workmen to carry out the above report at the expense of Lord Banff, who declines to take down the wall.

August 13.—Paid Alex. Smart, tailor, 7s. 6d. Stg. due for drink given the soldiers at the rejoicing on the 11th June.

1747.*

April 18.—The Council take steps to carry out the Act of Parliament lately passed for repealing the several rates and duties upon houses, windows, and lights, and for granting to His Majesty other rates and duties upon houses, windows, and lights.

1749.

October 7.—The treasurer ordered to pay the work of building the Coalhowff.

* “We hear from the north of Scotland that some time this month a sea creature, known by the name of Mermaid, which has the shape of a human body from the trunk upwards, but below is wholly fish, was carried some miles up the Water of Devron.” (General Magazine, Jan., 1747.)

Notes on Handwriting in Former Times.

Writing was not so general an accomplishment in former times as some are apt to believe. In the fourteenth century Du Guesclin, Constable of France, one of the greatest men of his age, could neither read nor write. (Cf. also Maitland's "Dark Ages," and Robertson's "Charles V.") In 1552 John Curror, commissioner of the burgh of Banff, signs "wt. my hand att the pen." So also signs John Kennarty, commissioner, but one commissioner and two bailies sign "mann propriâ." Alexander Scot, commissioner to the Convention of Royal Burghs from the Burgh of Banff, in 1575, has, in place of his signature, "with my hand led at the pen be Alex. Guthrie, noter." Shortly before the Reformation even the Lady of Findlater is found unable to sign her name. In 1544 the Prioress and Prioress-elect of North Berwick add to their names "wyth my hand at the pen," and all the twenty subscribing nuns do likewise. In 1587 the Laird of Edinight could not write. About the year 1606 one of the bailies of Elgin, and one of the members of Town Council, "culd noth wreitt." Of 222 persons that signed the Solemn League and Covenant at Dundonald in 1644, no less than 179 did so by proxy. Two Councillors of Banff, viz., William Paterson and James Smith, in 1660 could only initial, while next year another Councillor—James Fyfe—is in the like predicament, and, in the year thereafter, there are no less than four Councillors "scribere nescientes." The Burgh Treasurer of Banff in 1663—William Galloway—could only initial. Two Councillors of Banff are found in 1672 capable of writing only their initials, and in 1704 two others. It need not therefore be wondered that, in 1700, two of the town's officers could not write, but one can scarcely fail to wonder that a gunsmith—James Aberlour—appointed in 1716 as one of the valuers of the town's arms and warlike stores, could do no more than initial. Fourteen of the twenty-one witnesses at Macpherson's trial, in 1700, could sign their depositions, while of seven fishermen before a court in Banff in 1743 not one could sign his name. In 1753 four women were fined, in terms of the Act of Parliament, by the Burgh Court of Banff for fornication, not one of whom could sign her name. The late advance in education is strikingly shown as regards this class of cases, for while in 1858 there were 100 mothers of illegitimates in Banffshire who signed by mark, the number who so signed in 1886 fell to 25, the number of cases of illegitimacy continuing, however, as large. In 1793 the eight carters of the town were all able to append their full signatures to a petition they presented to the Town Council, and in 1836 the writer of the New Statistical Account states that if there are any persons in the parish who cannot read or write, the number is altogether insignificant.

1750-1891.

BANFF IN 1760—DEATH OF WILLIAM ROBINSON—DR. JOHNSON—BANFF SOCIETY IN 1775—
JOHN WESLEY—BURNS—BYRON—MANUFACTURES—TRADE AND WARING—PRICE OF
PROVISIONS—BANFF IN 1798—JUBILEE OF GEORGE III.—LITERARY SOCIETY—BANFF
SOCIETY IN 1816—SOUTHEY—BANFF INSTITUTION—REFORM MEETING, 1832—THE
“BANFFSHIRE JOURNAL”—FUNERAL OF JAMES, FOURTH EARL FIFE—DEATH OF
JAMES, FIFTH EARL FIFE—VISIT OF THE PRINCE OF WALES—WELCOME TO THE
DUKE AND DUCHESS OF FIFE—FURTHER REFERENCES—BURGH COURT BOOK, 1750-
1802—HEAD COURT BOOK, 1781-1886—EXTRACTS FROM MINUTES OF TOWN COUNCIL,
1750-1891.

1750-1891.

THE description of the appearance of Banff, and the character and circumstances of its inhabitants, with the narrative of the affairs of the burgh, for the period from 1750 to the present day, can be gleaned to most advantage from the accounts of contemporary writers, who have had occasion to visit the burgh, and from the records of the Town Council and the Burgh and Head Courts. To these sources mainly has recourse been had, as the following pages will show. The extracts testify to the remarkable advance during the period in the arts and manufactures, in intellectual and municipal progress, and in comforts and conveniences, and all that tends to the happiness of life.

BANFF IN 1760.

A notice of the town of Banff, as it appeared in the year 1760, occurs in one of Bishop Pococke's Letters * :—

"Near the town is a yard for bleaching linnen yarn, of which a load is sent off every three weeks to Edinburgh, and from that place is carried on to Nottingham by land. Banf is a well built small town pleasantly situated on a rising ground, and on a flat to the west of the river Devin ; at the mouth of which a basin is made by two piers, in which a ship of a hundred ton can lie with safety : And they have a salmon fishery in the river. The town subsists by this linnen yarn and shops.

"There are a great number of the Church of England here, the wife often going one way and the husband another ; so that there is no sort of animosity in the town upon the account of religion : Here is an Episcopal Church to which about 600 souls resort of the town and the adjacent country.

* "Tour through Scotland" (Scottish History Society).

" Lord Deskert has a small house on the site of the old Castle over the Mole ; this precinct of the castle was about 100 f. square, and a small part of the enclosure remains. He has formed a lawn before the house and a beautiful walk round another lawn below it, and it is a delightful summer situation.

" A little way from the town to the south, the Earl of Fife, a peer of the Kingdom of Ireland (his ancestor, Lord M'Duff, having forfeited) built a house of four floors and six rooms on a floor, with tower at the angles, in which there are closets and back stair cases : It is all of hewn freestone, brought by sea ready worked (as I was told), a great part of it in boxes, from the Frith of Forth.* The two middle stories of the towers are adorned with one tier of Corinthian pilasters in the style of Lord Carlisle's house at Castle Howard in Yorkshire, and the attick with composit pilasters. To the three middle rooms every way are arched windows, and pediments over them. The chimneys are brought into the tower to what appears like a large pedestall on the coved roof of each of them. The attick story in the fronts being above the pediments, which, with an entablature, crowns the other stories. The under-story is rustic ; the ascent in the front to the south is by winding steps on each side, and leads to a saloon, over which is a room of a cube of thirty feet : Excepting the towers, it consists of seven windows in a story, and is within an exceeding good house of thirty-four rooms and sixteen closets : It is now inhabited by Lord M'Duff, Lord Fife's eldest son, who is married to the sole heiress of the Earl of Caithness.

" A little to the south of the town, over the river, towards a mount called St. Leonard's hill, was a convent of Carmelites, entirely destroyed ; it was dedicated to the Virgin Mary. James the 6th granted the estate to the old College of Aberdeen. I was told that near Banf are some fine caves in the sea cliffs."

* " 1745, July 18.—George Faith, mason in Banff, and John Chrysty, mason, at the Kirkstyle of Gartly, report with respect to the quality of the freestone of Lord Braco's new house at Banff : ' We plainly see that the Murray stone of said building upon the South and North fronts are not so much wasted with wind and weather as the Queensferry stone, and that some of the Queensferry stone are so abused with weather that they are become very black.' " (Rose Papers.)

The building of Duff House seems to have occupied several years, for in a bundle of accounts appear such entries as these : " 1736. Freight of stones and trees for Braco's new house at Banff." " 1740. Account of Thomas Gordon's disbursements on account of Lord Braco's new house—12 loads stones of the oxen from the Gallowhill, 4 loads of the mares, &c."

DEATH OF WILLIAM ROBINSON.

An incident, which occurred in 1771, is thus referred to in Mr. James Imlach's "History of Banff" :—

"Some years after this period a shocking outrage occurred, in consequence of the Government thinking it necessary to have the North country pretty much under the surveillance of the military, to overawe those spirits who still cherished a warm feeling for the exiled Prince. In our town, but few adherents remained to breathe even an aspiration for his return ; still corps of soldiers were passing to and fro, and occasionally quartering in the town. At such a time a set of the officers had been carousing in the principal Hotel, the 'Black Bull,' which stood opposite to the house presently occupied by Mr. Leask, and built in the year 1745 by Mr. William Robinson or Robertson, grand uncle to the late Provost G. G. Robinson, and inhabited by him and his numerous family at the time.* Mr. R. had been out dining at a friend's house, and on returning to his house in the evening, found these officers fully occupied in soft dalliance inside the court with his attractive nurserymaids, which raised the gentleman's ire, probably a little elevated by the good cheer and company which he had left. This exuberance he, no doubt, let loose at the redcoats, who, it appears, were too ready to return fire, and a scuffle ensued. One of the officers had got *hors de combat* somehow, and his friend, writhing at the insult, ran across the street for his sword, and, being inflated with wine and frenzy, ran the good gentleman of the house through the body, when he was carried into his sorrowing wife and family.

"This murderous outrage caused a great sensation, and was taken warmly up by the authorities of the town, who did not fail to represent the shocking deed in all its melancholy details, and the irremediable loss to the bereaved lady and family. Little sympathy, and as little redress, was accorded by the military powers,† as decided measures had to be

* Gaucy Will and Dublin Moll
Lived down at Dawse Wall.

(Old lines quoted by the Very Rev. Æneas Chisholm in Paper read to Banffshire Field Club. See also *sub* C. B., 1656.)

† In the Town's Records are lists of guards from 22nd April to 26th May, 1771, "on Lieutenants Gibbons and Thorn, who were imprisoned upon accusation for the murder of William Robertson, manufacturer, but dismissed, without trial, the King's Advocate refusing to prosecute." The guard consisted of six men and a captain, who attended in the council room from 10 P.M. till 6 A.M.

studied in these times, when many of the disaffected were still in league against the Government.

"It is matter of interest to look back on the fate of this family under a watchful Providence. The only son in after years became George Robinson of Clairmiston, near Edinburgh, and a distinguished lawyer. The ladies got married to some of the most respectable gentlemen in our neighbourhood. One became wife to the Laird of Montblair, General Hay, who fell in the Battle of Orthes, fighting under the Great Duke in the Spanish War; the second was married to the Laird of Auchry, Mr. Cummine of that ilk; another was Mrs. Rose of Montcoffer; the fourth was Mrs. Dr. Law of Edinburgh; and the last was the wife of Mr. Dugald, a London barrister. So! the Almighty careth for the widow and the fatherless!" *

DR. JOHNSON IN BANFF.

Dr. Johnson thus records his experiences of Banff:—

"At night we came to Bamff, where I remember nothing that particularly claimed my attention. The ancient towns of Scotland have generally an appearance unusual to Englishmen. The houses, whether great or small, are for the most part built of stones. Their ends are now and then next the streets, and the entrance into them is very often by a flight of steps, which reaches up to the second story. The floor, which is level with the ground, being entered only by stairs descending within the house.

"The art of joining squares of glass with lead is little used in Scotland, and in some places is totally forgotten. The frames of their windows are all of wood. They are more frugal of their glass than the English, and will often, in houses not otherwise mean, compose a square

* The Rose Papers give the names of the family of William Robison (or Robertson) and his wife, Mary Munro, with the dates of birth: 1755, November 2, William; 1757, April 12, Mary; 1758, November 15, George; 1760, October 28, James; 1762, May 27, Eliz.; 1763, August 22, Anne; 1764, September 15, Bathia; 1766, March 30, Jean; 1769, April 9, Alexander. Of the family (who all used the form "Robinson") William was a Lieutenant in the 23rd Regiment, and was killed in the American War 15th May, 1781, George was a lawyer, James was a surgeon in London, Mary m. William Rose, Factor to Lord Fife, Elizabeth m. Captain Andrew Hay of Montblair, Nancy m. Captain Archd. Cuming, and Jean m. Dr. Law, Edinburgh. The contract of marriage of William Robison and Mary Munro is of date 25th December, 1753. She seems to have been the daughter of William Munro, merchant, Banff. William Robison died 10th April, 1771. The latter will and testament of the aforesaid William Robison, of date 1764, and many of the family papers, are now among the Rose Papers.

of two pieces, not joined like cracked glass, but with one edge laid perhaps half an inch over the other. Their windows do not move upon hinges, but are pushed up and down in grooves, yet they are seldom accommodated with weights and pullies. He that would have his window open must hold it with his hand, unless, what may be sometimes found among good contrivers, there be a nail which he may stick it into a hole, to keep it from falling. What cannot be done without some uncommon trouble or particular expedient will not often be done at all. The incommodiousness of the Scotch windows keeps them very closely shut. The necessity of ventilating human habitations has not yet been found by our northern neighbours; and even in houses well built and elegantly furnished, a stranger may be sometimes forgiven, if he allows himself to wish for fresher air. These diminutive observations seem to take away something from the dignity of writing, and therefore are never communicated but with hesitation and a little fear of abasement and contempt. But it must be remembered, that life consists not of a series of illustrious actions or elegant enjoyments; the greater part of our time passes in compliance with necessities, in the performance of daily duties, in the removal of small inconveniences, in the procurement of petty pleasures; and we are well or ill at ease, as the main stream of life glides on smoothly, or is ruffled by small obstacles and frequent interruption." ("A Journey to the Western Islands of Scotland," by Dr. Johnson, 1775.)

1773, August 25.—"We got at night to Banff [from Slains]. I sent Joseph on to Duff-house; but Earl Fife was not at home, which I regretted much, as we should have had a very elegant reception from his Lordship. We found here but an indifferent inn.* Dr. Johnson wrote a long letter to Mrs. Thrale. I wondered to see him write so much so easily. He verified his own doctrine that 'a man may always write when he will set himself *doggedly* to it.'

* "The Hotel Buildings . . . were erected by the late Earl of Fife in 1845. The massive porch of the hotel and handsome dressed freestone fronts of the lofty buildings on each side thereof, were provided both as a convenience and an adornment to the town. Their erection necessitated the removal of a most interesting old landmark. The Black Bull Hotel, for a period of over a hundred and ten years the chief hostelry in the town, occupied the site of the section of the buildings which in 1879 were acquired from the Fife family by Messrs. Sellar, drapers. The old hotel was a long, low, two-storey slated house, the entrance to which was about the present door of the shop of Mr. Alexander, chemist, and it extended beyond the shop of Messrs. McCannachie & Ironside, Ironmongers, to about half along the shops of Messrs. Sellar, drapers, where an open way gave access to stabling in the rear." ("Banff and Neighbourhood," 1879.)

[*Note*.—"Here unluckily the windows had no pullies and Dr. Johnson, who was constantly eager for fresh air, had much struggling to get one of them kept open. Thus he had a notion impressed upon him that this wretched defect was general in Scotland, so he has erroneously enlarged upon it in his 'Journey.'"]

August 26.—"We got a fresh chaise here, a very good one, and very good horses. We breakfasted at Cullen." (Boswell's "Journal of a Tour to the Hebrides," 1773.)

BANFF SOCIETY IN 1775.

Major Pryse L. Gordon thus describes * Banff Society in 1775 :—

"Before I quit the subject of my education, I must endeavour to do justice to one of my earliest and best friends, William Abercromby of Glassaugh. Under his hospitable roof at Banff I lived four years, being always treated as one of the family. Through this acquaintance I had an opportunity, when a boy, of being introduced into good society; for my kind friend, though his means were at that time very slender, kept open house, and the best company in the north was to be found at his table.

"During the period of my being at School, Banff was perhaps the gayest little town in Scotland.† Besides many respectable residents, at the head of which was the Countess Dowager of Findlater in the Castle, most of the country gentlemen and their families had their winter establishments in town. The Duke and Duchess of Gordon frequently made a visit to Banff for a few days. At that time, in 1775, her Grace was unquestionably the most beautiful and fascinating woman in Great Britain. Mr. Abercromby was one of the Duchess's prime favourites. Anxious to prove himself sensible of her Grace's kindness, on one occasion he proposed for her gratification a novel kind of fête for a provincial town,

* "Personal Memoirs." (1830.)

† "Banff has been for several years the general residence and occasional resort of many genteel, opulent, and respectable families; and in few provincial towns are the inhabitants more distinguished for general information, social intercourse, and urbanity of manners." (Statistical Account, 1798.)

"Banff is said to be the most fashionable town north of Aberdeen." ("Beauties of Scotland," 1807.)

namely a masquerade. All the elderly, prudent, good folks of the conclave held up their hands against such an innovation on morals and decorum, and others considered the society of Banff too circumscribed to admit of an entertainment of that sort. The Duchess, however, was of a different opinion, and thought it an admirable *ploy*; the *wiseacres* were of course overruled, and preparations were made on the spur of the occasion. Mr. Abercromby's town house was certainly on a very small scale for a *bal masqué*, but the principal beds were pulled down, four rooms were opened for the reception of the company, and hung with green garlands, and tastefully lighted up. The great difficulty was to procure masks, as the fête was to take place in eight and forty hours. Mr. James Imlach, an ingenious bookseller, was consulted, and he undertook to furnish some sort of disguise for 'the human face divine.' On this occasion my services were put into requisition, and I sat up a whole night pasting cartridge paper and noses on the *wig-blocks* of Mr. T. Wright, citizen and barber. As our models were not very elegant, a great deal was left to the taste of the artists. I had the luck of making one so extremely grotesque, that it was selected by my chief for the character of a French cook, which his Grace personated with great humour, after having appeared for an hour or two as the Baronet of Birkenbog without being detected. The Duke had borrowed Sir Robert's hat and wig, of a very particular cut, as well as a suit of his apparel, and was so admirably disguised, that as he walked from the inn to the scene of action, a few hundred yards, the populace, who had turned out to see the procession, actually believed they saw the Knight *in propria persona*, and exclaimed—'Look at our ain Sir Robert—he does na fash wi' a sedan, honest man!' The Duchess was first a flower girl, and changed her *costume* before supper for a superb court dress: she was unmasked, and glittering in diamonds. I had read the Arabian tales, and was transported to the regions of that fanciful work.

"I was permitted to assist at the ball, and played my part as well as I could, in the character of a country-lad looking for a footboy's place. I even ventured to address the Duchess as a candidate; and she gave me half-a-crown for *arles*.

"Every one, both young and old, exerted themselves to keep up the spirit of the party, and it went off with great good-humour, producing laughter, hilarity, and sallies of wit and repartee. I have heard the Duchess since say, that she never passed a happier evening. When

people are determined to be pleased 'the task is very easy.' *

JOHN WESLEY IN BANFF.

In May, 1776, John Wesley visited Banff and delivered a sermon on the Battery Green, selecting as his text 'For ye know the grace of our Lord Jesus Christ that though he was rich, yet for your sakes He became poor, that ye through His poverty might be rich.' The same evening Mr. Wesley dined at Lord Banff's house in High Street. Next night he supped at Admiral Gordon's lady's house in Low Street. At this house "he met with a number of great ones," and at their request preached in the English Chapel, where he had "an elegant and crowded congregation." He also preached at the Grey Stone of the burgh. Mr. Wesley, while living in Banff, took up his lodgings in the Strait Path. He is said to have lived in the house of a Mrs. Allan, which was long possessed by the late Mr. Adam Ramsay, the founder of Ramsay's School, and now owned by Mr. Joseph Taylor. Mr. Wesley was 73 years of age when he visited Banff.

BURNS IN BANFF.

The poet Burns passed through Banff while on his Northern Tour in 1787. After the unhappy incident at Fochabers, Burns and his travelling companion, Nicol, set out for Cullen, where they passed the night. Next day, 8th September, they proceeded to Banff. Burns makes no reference to Banff in his Journal, but a writer in *Chambers's Journal* of 11th January, 1840, supplies these interesting particulars:—

"In the month of September, 1787, my native town of Banff was honoured by a visit of the illustrious poet of our country, Robert Burns. He and his friend William Nicol, then one of the teachers in the High School of Edinburgh, had been enjoying a jaunt of pleasure in Nicol's

* The spirit of hospitality that was abroad about this time is exemplified in the extant "Lists of Gentlemen invited to King's Birthday and Election Dinners, 1769-1782" (Burgh loose papers). On 15th June, 1769, sixty-six gentlemen were invited to join with the Town Council in the Town House to drink a glass in honour of the Provost's success in obtaining £500 from the Convention of Burghs towards the harbour of Guthrie. Election dinners were high occasions, and took place usually at the Town Clerk's house about 24th September. On 22nd June, 1775, a large number met at the Council's invitation to drink to His Majesty's health, and thereafter for several years such meetings were held about 4th June, either in the Town House or the Mason Lodge. The number invited was usually about fifty.

vacation time through the Highlands. Returning through the province of Moray eastward, they had spent the day previous to their arrival in Banff at Fochabers and Gordon Castle, where Burns at least had been most hospitably entertained and greatly courted by Jane, Duchess of Gordon, who then was the presiding deity of the Castle. On reaching Banff, Mr. Nicol called on Dr. George Chapman, then rector of the Academy of Banff, well known as a distinguished classical scholar and an eminent and successful teacher of the learned languages, as well as author of several works on educational subjects. The worthy doctor had for several years, at an antecedent period, been rector of the High School or Academy of Dumfries, where his friend Mr. Nicol had, as one of his ushers, commenced his career as a teacher. Like all who had ever been in a similar situation under the fostering guidance of Dr. Chapman, Mr. Nicol looked up to him with almost filial veneration.

"Mr. Nicol and his interesting travelling companion were invited to breakfast next morning with Dr. Chapman at his house in Banff, and the writer of this, then a youth about thirteen years old, and a scholar in the doctor's morning Greek class, was asked by his revered teacher to stop to breakfast, as being rather a pet scholar, and dux of the class, which got a *drill* on their 'Homer' from Mr. Nicol until the breakfast bell rang. During breakfast, Burns was playing off some sportive jests at his touchy *compagnon de voyage*, about some misunderstanding which took place between them at Fochabers, in consequence of Burns having visited the Castle without him; and the good old doctor seemed much amused with the way the poet chose to smooth down the yet lurking ire of the dominie. After breakfast, Dr. Chapman sent me to the bookseller's shop for a new copy of the 'Antiquities and Scenery of the North of Scotland, by the Reverend Charles Cordiner, Minister of the English Chapel in Banff,' which he presented as a mark of his regard to Mr. Nicol, and for a useful guide-book to the travellers in their progress. As they were to visit Duff House, the splendid mansion of the Earl of Fife, and drive through the park on their way south, after delivering the book to Mr. Nicol I accompanied the two gentlemen from the town to the house, carrying a note to the steward there from my father, that they might see the interior of the house, the paintings, and valuable library. In driving through the park, Mr. Nicol, while engaged in looking at the plates of the book, asked me whether I was aware that the gentleman who was speaking to me

about the park was the author of the poems I had no doubt heard of. 'Yes,' I replied, 'Dr. Chapman told me so when he asked me to breakfast.' 'Then have you read the poems?' 'Oh yes; I was glad to do that,' was the reply. 'Then which of them did you like best?' Nicol asked. I said, 'I was much entertained with the Twa Dogs and Death and Dr. Hornbook; but I liked best by far the Cottar's Saturday Night, although it made me *greet* when my father had me to read it to my mother.'

"Burns, with a sort of sudden start, looked in my face intently, and, patting my shoulder, said, 'Well, my callant, I don't wonder at your *greeting* at reading the poem; it made me *greet* more than once, when I was writing it at *my* father's fireside.'

"I recollect very well that, while Mr. Nicol loitered in the library, looking at the fine collection of old classics there, Burns, taking me with him for a guide, went a second time through some of the rooms to look at the old paintings, with the catalogue in his hand, and remarked particularly those of the Stuart family in the great drawing-room, on which he seemed to look with intense interest, making some remarks on them to his *boy*-guide, which the *man* fails to recollect. But the face and look of Robert Burns were such as, either boy or man, he never could forget. He may add, that he has never seen them so forcibly portrayed or brought so fully to his mind's eye as by Flaxman's noble statue of the poet in the monument in Edinburgh, especially when viewed in a particular way."

The writer of the above is believed to have been Mr. George Imlach, brother of Mr. James Imlach, author of "The History of Banff." Mr. George Imlach was associated with his father, Mr. James Imlach, as Agent in Banff for the Aberdeen Bank. He was born in 1775, and died at Edinburgh on the 31st October, 1863, aged 88 years.

BYRON IN BANFF.

The early years of Byron were associated with Banff. From the "Letters and Journals of Lord Byron," by Thomas Moore (London: 1830), it appears that the first wife of Byron's father died in 1784, and that in the following year he married Miss Catharine Gordon, the only child and heiress of George Gordon, Esq. of Gight. At her marriage she had £3000 in money, two shares of the Aberdeen Banking Co., the Estates

of Gight and Monkshill, and the superiority of two salmon fishings on Dee. The Bank Shares were disposed of for £600, timber to the value of £1500 was cut down, the farm of Monkshill and the superiority of the fishings disposed of for £480, and within a year after the marriage £8000 was borrowed on a mortgage upon the Estate.

In the summer of 1786 Byron and his wife left Scotland to go to France, and next year Gight was sold to Lord Haddo for £17,850, and the whole of the purchase money applied to the payment of his debts, except a small sum vested in Trustees for the use of Mrs. Byron, who thus in two years found herself reduced from competence to a pittance of £150 per annum.

From France Mrs. Byron returned to England at the close of 1787, and, on 22nd January, 1788, gave birth, in Holles Street, London, to her first and only child, George Gordon Byron. From London she went to Scotland, and in 1790 took up residence in Aberdeen, where Captain Gordon joined her, but they soon separated. In April, 1794, Byron was attending the second class of the Grammar School of Aberdeen, and in April, 1798, he was in the fourth class. Moore states that when at his Grammar School stage, he and his mother visited occasionally at Fetteresso, the seat of his godfather Colonel Duff, and at Banff, where some near connexions of hers resided. "It was about this period," continues Moore, "when he was not quite eight years old, that a feeling, partaking more of the nature of love, than it is easy to believe possible in so young a child, took, according to his own account, entire possession of his thoughts, and showed how early, in this passion, as in most others, the sensibilities of his nature were awakened. The name of the object of this attachment was Mary Duff, and the following passage of a Journal, kept by him in 1813, will show how freshly, after an interval of seventeen years, all the circumstances of this early love still lived in his memory: 'I have been thinking lately a good deal of Mary Duff. How very odd that I should have been so utterly, devotedly, fond of that girl at an age when I could neither feel passion nor know the meaning of the word! And the effect! My mother used always to rally me about this childish amour, and at last, many years after, when I was sixteen, she told me, one day, 'Oh! Byron, I have had a letter from Edinburgh from Miss Abercromby, and your old sweetheart Mary Duff is married to a Mr. Coe.'* And what was my

* She married Mr. Robert Cockburn, wine merchant in Edinburgh, and afterwards in London.

answer? I really cannot explain or account for my feelings at that moment, but they nearly threw me into convulsions, and alarmed my mother so much that after I grew better she generally avoided the subject—to *me*—and contented herself with telling it to all her acquaintance. Now what could this be? I had never seen her since her mother's *faux-pas* at Aberdeen had been the cause of her removal to her grandmother's * at Banff; we were both the merest children. I had and have been attached fifty times since that period, yet I recollect all we said to each other, all our caresses, her features, my restlessness, sleeplessness, my tormenting my mother's maid to write for me to her, which she at last did to quiet me. Poor Nancy thought I was wild; and, as I could not write for myself, became my Secretary. I remember too our walks, and the happiness of sitting by Mary in the children's apartment at their house, not far from the Plainstones at Aberdeen, while her lesser sister Helen played with the doll, and we sate gravely making love, in our way. . . . It is a phenomenon in my existence (for I was not eight years old) which has puzzled, and will puzzle, me to the latest hour of it, and lately, I know not why, the *recollection* (*not* the attachment) has recurred as forcibly as ever. I wonder if she can have the least remembrance of it or me, or remember her pitying sister Helen for not having an admirer too? How very pretty is the perfect image of her in my memory—her brown, dark hair and hazel eyes; her very dress! I should be quite grieved to see her *now*, the reality, however beautiful, would destroy, or at least confuse, the features of the lovely Peri which then existed in her, and still lives in my imagination at the distance of more than sixteen years. I am now twenty-five and odd months . . ."

In the autumn of 1798 Lord Byron and his mother left Aberdeen for Newstead Abbey.

Pryse Gordon, who talks pleasantly on every subject, thus relates † an interview he had with Lord Byron at Brussels in August, 1816:—

"In our conversation of three hours he went over the pranks and adventures of his boyish days. He had lived at Banff with his mother for a short time, when he was about seven or eight years of age. My eldest son, of nearly the same age, was his schoolfellow, and he was frequently invited by my brother, the pastor of the town, with whom my

* Mrs. Duff of Hatton, who resided at No. 25 High Street.

† "Personal Memoirs." (1830.)

boy was living, to pass a holiday at the parsonage: all this he perfectly recollected, and of a tumble he got from a plum-tree into which he had climbed to get at some pears on a wall. 'The minister's wife,' said he, 'blabbed to my mother, thinking I might have been hurt; and the old red-nosed doctor, whose name I have forgotten, was sent for, who insisted on bleeding me in spite of screams and tears, which I had at command; for I was a complete spoiled child, as I dare say you know. At last he produced the lancets, of which I had a great horror, having seen them used to bleed my nurse, and I declared if he touched me I would pull his nose. This, it seems, was a tender point with the doctor, and he gave the bleeding up, condemning me to be fed on water-gruel, and to be put to bed: these orders I disposed of by throwing the medicine out of the window, and as soon as the doctor had taken his departure, I got out of bed and made my appearance in the parlour. My mother, finding that there was nothing the matter with me, gave me tea and bread-and-butter, which I preferred to *brochan*:—you see I have not forgot all my Scotch.'

"He put me in mind of what he called my kindness in lending him a pretty pony, and of my accompanying him to ride in Hyde Park. 'That,' said his lordship, 'was fourteen years ago, when I came to town to spend the holidays with my poor mother. I remember your pony was very handsome, and a fast galloper, and that we raced, and that I beat you, of which I was not a little proud. I have a wonderful recollection of the little events of my early days, and a warm feeling for the friends of my youth.'

"He told me that he was desperately in love with Miss Mary Duff when he was nine years old, 'and we met,' he said, 'at the dancing school.'* He made many inquiries about her, and if she was still as handsome. 'She is a year older than I am; I have never seen her since I left Aberdeen. Some of the first verses I ever wrote were in praise of her beauty. I know she is happily married, which I rejoice at.' All this he said with much feeling."

The name of Byron is also associated, in popular belief at least—but this is perhaps all that can be said—with a somewhat remarkable pear tree in the old Manse garden, the following account of which appeared in 1867 in a volume entitled "Old and Remarkable Trees in Scotland," issued by the Highland Society:—

* It does not appear they ever met in Banff.

"A great part of Lord Fife's park of Duff House being in this parish (Banff), we can show some good forest-trees. Among these are especially a few large silver firs admired by judges. The late Earl of Fife astonished his friend Mr. (late Lord Provost) Lawson, by showing him some of the finest in Scotland; and this, too, at a time when silver firs were supposed to be fast perishing in many well-sheltered parts of the north. But, on the whole, the only tree near us deserving of special notice—in fact, *the* tree of the parish—is to be found in the humble manse garden. This is an old pear-tree, locally famous for many reasons, but chiefly for its age, its size, and a kind of repute, half historical, half fanciful, for which, perhaps, no good ground can be assigned but the old one, that it has once got some fame and keeps it. It enjoys not a few very distinct, and somewhat contradictory designations—'the Minister's Tree,' 'the Shirramuir,' 'Byron's Pear,' 'the Banff Chaumontelle.'

"The first of these names requires no explanation beyond stating that the tree is a goodly standard in the very old garden of the parish manse. It grows in a low well-sheltered hollow, on a deep rich soil, above an open bottom of sea-shingle, and within some 200 yards of the sea and the mouth of the Deveron. By some this spot is supposed to have been originally the abbot's garden when the monastery of the Carmelites flourished, where part of its ruins still stand, within a few yards of the manse. It is not imagined, however, that the tree dates from such a distant period, although it may be the lawful descendant of some sapling of the days when other Scottish abbots cherished the peaceful tastes of the dimple and the grafting-knife as well as their brother of Kilwinning.

"The second name comes from the tradition that this tree was planted in the year of 'the Shirramuir,' which would make it now 150 years old. Its appearance, and especially its rugged bark and time-eaten stem, would indicate a still greater age. Be its age what it may, it is certainly among the largest fruit-trees in Scotland. The top of its highest point may be 42 feet from the ground, the circuit of its widest boughs may be 153 feet, the girth of its trunk at the ground is 13 feet, and at 2 feet from the ground it measures 9 feet round. At this latter height, however, it divides into two great boughs, at first starting only slowly upwards, but at last shooting boldly up into a leafy crown. Each of these boughs is in thickness equal to the stem of what most would call a large pear-tree, one being 6 and the other 4 feet in diameter. Originally a third large

bough went off at the same division, but time and storms have eaten it away. The main stem, for 2 or 3 feet nearest the ground, is completely hollowed out by decay. I filled up the hollow with the help of the mason, and propped the boughs with a stout plane tree or two, thereby diminishing the strain on the weakest part of the trunk where they divide. My reward is that now for twenty years past I have seen the tree bearing almost every year large crops of the finest pears. From the 8th to the 20th of May its blossoms are a show worth travelling a long way to see.

"The third name—'Byron's Pear'—is given it in remembrance of the fact that the great poet, when he and his mother resided or paid occasional visits in Banff in his very young days, before the pranks which afterwards broke into fuller display at Cambridge and Newstead Abbey, robbed the worthy minister's pear tree. The house in our town occupied for some time by him and his mother is still shown to strangers. As heiress of Gight, about twenty miles from Banff, she had many ties in this district besides having relations in the town. Under these circumstances, she came to reside amongst them about the year 1795. Even after removing to Aberdeen with her son, she appears to have brought him here now and then as late as 1798, when Byron was ten years old. If not actually guilty of the robbery now laid to his charge, the tradition at least runs very strong against him; and his early acquaintance with the juicy produce of a Scottish orchard, however unlawful, was not an unsavoury introduction to some of his favourite occupations in Italy in later life, sucking oranges on the Brenta, and in his rides along the Arno. In his excuse it should be stated that, in his days, the third bough, now gone, overhung the public path so temptingly, as its survivor still very nearly does, that older folks are said not unfrequently to have tasted the quality of the pears, as well as 'the young English nickom,' for this was the reputation he enjoyed, even at that time. The anecdotes confirmatory of this character, which still survive, especially those so long preserved by the poet's very early friend, the late worthy Sir Robert Abercromby of Forglen, fully prove that Byron was Byron from the first. 'Nickom' though he was, there was a dash of spirit and manliness about him which made him a favourite.

"Within the last sixteen years, a visitor at the manse acquainted with Lady Lovelace, and knowing the interest she took even in small things connected with her father's memory, sent her some information about this

tree and its alliance with his fame from his youngest days, as well as a specimen of its fruit. They were followed in spring, if I mistake not, by grafts. Whether these frail emigrants from a Scottish manse still flourish in the lordly glades of Ockham is more than this deponent can vouch for. But at the time it was said,

‘Ada, sole daughter of my house and heart,’

gave such kindly welcome to the humble associates of an honoured name, that the fact is not unworthy of at least local record in the history of an old but still hale inhabitant of ‘our parish.’

“The name of the ‘Banff Chaumontelle,’ now corrupted into ‘Sa’montall,’ was given in joke by the writer of this gossip. I am not yet quite sure what is its correct name.

“To show the money value of the fruit from the tree whose names have thus detained us so long, it may be stated that not very many years ago, when fruit sold high, as it did all over Scotland, till steamboats and other rapid means of transport brought foreign produce in such abundance and freshness to compete with our own, the crop of the Minister’s Tree has sometimes sold for as much as twelve pounds in one year. Nor was it the only tree in Banff that yielded a large return. In other gardens of the town are jargonelle trees of great size and value. Only thirty years ago, the fruit of one of them sold for as much as ten pounds, and when resold in Aberdeen by the first purchaser, yielded a good profit to the buyer. Going further back, we find that in some old books mention is made of the pear trees of Banff as having formerly been famous in the land. According to Spalding, Munroe’s troopers made sad havoc among them about the year 1650. They cut down or destroyed many a fine tree in all parts of the town. Some good specimens, however, seem to have sprouted from their ruins, as not a few of our gardens still attest. If my conjecture is right, that the religious fraternities—for we had other monks in the parish as well as Carmelites—introduced amongst us good kinds of the pear, it would seem that the soil and climate are favourable to that fruit. The pear is said never to flourish far from water; and certainly inland districts which have no river or lake do not abound in this fruit. But so long as the Deveron flows through our valley, and the Moray Firth washes our shore, pears will not fail in Banff, even should the minister’s old tree decay more rapidly than it is now likely to do.”

"To make room for the County building, there was removed a plain three-storey building, with which the name of Lord Byron was associated.* The poet while a boy was brought to Banff by his mother. His grandmother and grand-aunt, Mrs. Gordon of Gight and her sister (the former familiarly designated in the town the Lady of Gight), occupied the house on Low Street, and there the poet lived for some time when he was about seven years of age. Some anecdotes of the waywardness of the boy Byron have survived, and a very interesting relic of his visit is preserved. Byron planted a thorn tree near the corner of his grandmother's house, which had to be uprooted in 1869. The tree was transplanted into the garden of Provost Coutts, where for two or three years it shot forth some leaves, but ultimately died. It was cut down, and the trunk furnished wood of a beautiful grain and colour sufficient to make a fancy work-table, now in possession of Mrs. Coutts." ("Banff and Neighbourhood.")

The following extract of a letter written, in a half-jocular mood, by Major Duff, brother of Earl Fife, to Mr. Rose, Montcoffer,† may not be altogether devoid of interest:—

"Musselburgh, 5th September, 1783. . . . We have received orders to be in readiness for Ireland, and shall certainly march in the course of a fortnight . . . We are going to the most disagreeable of all countries . . . I had resolved, in case of going North, to have besieged the Heiress of Gight, and with your assistance to have made her surrender to the *arms* of your sincere &c. Will. Duff."

The Rose Papers contain several letters from Lady Gight. An extract from a single letter will probably be deemed sufficient. On 23rd May, 1784, the Lady writes, wishing "drekely for a slater to loake at Lady Gights hous and ofesas as the leat windes has broken of a good maney slebes [? slates] of the hous."

Among the Rose Papers is a letter signed "Jean Davidson," and addressed to Mr. W. Rose, relating to money matters, and concluding as follows:—

"Mrs. Byron wrote me a very curious letter on the subject. I was then at a loss from whom her information came. The letter was worthy of the writer, being full of inconsistencies. I imagine the estate of Gight will soon be in the market, which will put an end to Mr. Byron's political influence. Crathes, 3rd September, 1786."

* See Illustrations.

† Rose Papers.

Mr. Rose, as Factor for Earl Fife, was deeply concerned in politics, and among his papers the following note occurs :—

“George Gordon of Gight was served and retoured nearest lawful heir male of line, taillie, and provision to the deceased Alexander Gordon, alias Davidson, of Gight, his father, in the lands and barony of Gight, on 18th April, 1760, and in virtue of a precept from the Chancery, dated 28th April, was infest 7th May thereafter, and the infestment recorded 6th June, 1760. On these titles and a certificate of valued rent amounting to £1470 13s. 4d. he was enrolled a freeholder in Aberdeenshire on 6th October, 1761. Mr. Gordon died 1778, and left two daughters. In order to settle the estate upon them, he by a disposition dated 19th December, 1777, and registered in the Books of Session 15th Feb., 1779, disposes the estate of Gight to himself, whom failing the other heirs therein mentioned. By another disposition of same date he conveyed the lands of Monkshill and others purchased by himself to the same series of heirs. Mrs. Katherine Gordon was served and retoured heir in general and of provision to her father in September, 1785, and infestment on the precepts in the above dispositions 3rd Dec., 1785, and both infestments recorded 8th of that month. So that Mr. Byron Gordon in right of his wife cannot claim on the apperency, as the former titles were all to heirs male.”

Of date 10th July, 1787, the Hon. Jean Duff writes from Cowes, Isle of Wight* :—

“Mr. and Mrs. Byron have taken a house in this place. He has hired a vessel and gone to the coast of France. *Her* I have called upon, but not seen, which I do not much regret.”

Capt. William Abercromby of Glassaugh thus writes in his gossiping style† :—

“Hutton Hall, 9th September, 1787 . . . Mrs. Byron is big with Bairn for certain. *He* is off to France for debt, where she, unhappy woman, must follow soon. Give not this news to poor Lady Gight. God bless you.”

Byron was born 22nd January, 1788.

Memories still linger in Banff of Byron's violent and improper conduct in his youthful days. On Miss Abercromby of Birkenbog remonstrating with his mother thereupon he butted her like a ram, and threatened to throw her over the balcony. Byron had then arrived at the mature age of seven or eight years !

* Rose Papers.

† Rose Papers.

A writer in "Notes and Queries" (1869) refers to the tradition of Byron robbing the pear tree in the old Manse garden, and it is very evident that Byron did not attain to the high standard of moral excellence then prevalent in Banff, for he was commonly designated as "that little deevil, Geordie Byron."

TRADE AND MANUFACTURES.

During the closing decades of last century Banff was an important seat of industry. About the year 1753 Mr. William Robison, who had been a linen weaver in Banff for at least five years previously, and Mr. Illingworth of Nottingham agreed to enter into a contract of co-partnery for carrying on a manufactory of thread in Scotland and England. The former fixed on Banff as his residence, near to which, in 1753, he took ground for a bleachfield from Lord Findlater for two nineteen years. The co-partnery was to subsist till 1780. In 1760 George Robinson of Bulwell, near Nottingham, brother of the aforesaid William, was assumed as a partner. The articles of co-partnership agreed to in 1765 bear that the capital—£6,900—was to be in three equal parts, and that the Company was formed for "thread making, and browning, bleaching, and preparing, linen yarn for the making of stockings." George Robinson, son of the aforesaid William, was soon afterwards assumed as a fourth partner, the new contract to subsist till 1797, and the capital—£20,000—to be made up in equal shares by the four partners. William Robison was stented as follows: 1758, £3000 Stg.; 1762, £28,000 Sc.; 1765, £24,000 Sc.; 1769, "his waring does not exceed £37,200 Sc. as he shall answer to God"; 1770, £40,800 Sc.; 1771, £21,600 Sc., and in this last-named year, being the year of his death, his share of the capital stock in the thread manufactory was £5,793 Stg. The annual profits accruing from William Robison's share between the years 1771 and 1776 were £403, £449, £691, £1322, £1365, £568, from which, however, the sum of £289 as interest had to be deducted annually.

The writer of the Old Statistical Account gives the following particulars regarding the state of the thread and linen manufactures a few years previous to 1798:—

"For the thread manufacture alone 3500 mats of Dutch flax were annually imported; which, at an average of £3 5s. each, cost upwards

of £11,000 Stg. The operation of milling and heckling employed about 60 men. When given out to spin, it afforded employment for 4000 individuals; yielded 150,000 spindles of yarn, which circulated about £10,000 among the spinners. The doubling and twisting the yarn, which was done at Banff, employed about 200 women and children, and at the bleachfield, engaged the labour and attention of 40 people more. These threads when sent to Nottingham or Leicester were valued at £30,000 Stg.

"This productive and useful branch has since given place to the stocking manufacture, which is also conducted on a very extensive scale by Messrs. Robinsons. The stockings are wove on a highly improved frame, of which these gentlemen are the sole patentees. They have 150 of these frames, for the manufacturing of silk, cotton, and worsted stockings . . . In the several departments of the work about 560 persons are constantly engaged . . . The principal market for the manufacture is London . . . The linen trade is still continued, but now employs only about 20 weavers."*

The writer of the New Statistical Account states that the stocking manufactory was discontinued about 1816, owing to improvements in machinery adopted by English manufacturers; and that, although the thread manufactory was kept up for a considerably longer period, "the increasing use of cotton instead of thread was gradually lessening the demand for it."

About 1798 a soap and candle work was being carried on, employing a manager and four men, and paying annually to Government £500 Stg., also a rope and sail manufacture, and, in the neighbourhood, a brick and tile work. The two last-named industries are referred to in 1836 as still continuing.

In the end of last century the brewing of ale, beer, and porter was carried on to a considerable extent, the annual consumption of barley being generally 1200 bolls and the duty to Government £700. The number of hands employed amounted to eight. "The strong beer has long been in high repute and the porter, when kept in bottle about a year, is sufficiently palatable." In 1836 it is reported that the business had advanced but little, as the demand for malt liquor had become immensely reduced by the increased distillation of spirits. The number of hands

* Linen stamped in Banffshire in 1728—101,618 yards (value £3811).

" " 1771— 54,385 yards (value £3132).

employed then amounted to nine or ten. The distillery at Mill of Banff was then producing 11,000 to 12,000 gallons of proof spirits yearly.

Other industries noted in 1798 were salmon fishing, soap and candle making, rope and sail making, and brick and tile making.

About 1826 a foundry was started by Messrs. Fraser, which has developed into the largest industry in the town, chiefly through the enterprise of Mr. G. W. Murray, who purchased it in 1863, and "made its products, chiefly in agricultural implements, acceptable in the English and Colonial markets."

During the last century an immense advance has been made in the herring fishing. The Report of the Commissioners of Fisheries for Scotland for the year 1784 shows that the sum of £10 was paid in premiums to the herring fishers on the north and south sides of the Firth of Forth for looking out for the herring shoals, that 162 busses were employed at the fishing, with 1816 men, and the herrings caught amounted to 22,705 barrels. Next year there were 176 busses, with 1971 men, the catch being represented by 18,185 barrels. In Banff and Macduff alone, in 1889, upwards of 14,000 crans were landed. In 1788 the herring fishing in Scotland is reported as having been uncommonly successful, there being 275 busses, 3567 seamen, and the catch 52,857 barrels, which greatly exceeded the quantity caught in any one year for a considerable time previously. A contemporary report shows that about Troup Head boys were accustomed to catch herrings with crooked pins. The north-east coast herring fishing from Aberdeen to Shetland alone amounted in 1889 to upwards of 647,000 crans. In that same year (1889) were landed at Banff 4457 crans, as contrasted with 1265 barrels cured in the year 1833. There were about 32 boats employed at the herring fishing from Banff in 1889, while the number in 1833 was 18. The number of crans landed at the port of Banff in 1890 was 6272, and the number of boats 38. ("Banffshire Year Book, 1891.")

The industries subsisting in 1882, as given in Groome's "Ordnance Gazetteer of Scotland," were: shipbuilding, "a tobacco, a chemical manure, and a rope and sail factory, two woollen mills, a tannery, an iron foundry, a brewery, a distillery, a timber yard and a brickfield."

The list of industries recorded in the "Banffshire Year Book" for 1891 is as follows:—rope and sail making, printing, foundry, brewery, shipbuilding and stone-cutting, while the fishing employs 35 large and 7 small boats.

Goldsmiths and silversmiths have been resident in Banff for many years. The minute books, &c., of the Incorporation of Hammermen exist in six folio volumes, and extend from 1723 till 1843. The following local marks are met with :—

- (1) VS. BANF. D. (On Banff Communion Cup.)
VS. ABC. (On Cullen and Forglen Communion Cups.)
- (2) PS. PS. BANF. (On Alvah and Auchterless Communion Cups.)
A heart surmounted by a crown separates the repeated initials.
- (3) AS. BANF. AS. (On table spoon found among a number of spoons dated 1760.)
- (4) IK. BANF. (On dessert spoon.)
IK. E. (On table spoon.)
M. IK. B.
B. IK. H. (On table spoon.)
B(?) IK. F. (On table spoon.)
- (5) BA. IA. (On dessert spoon.)
- (6) GE. B. (On Rhynie Communion Cup.) The Virgin and Child are also figured.
- (7) WB. BANF. (On teaspoon.)
- (8) WS. H. B. (On table spoon of this century.)
WS. B.
- (9) BA (figure of Scotch thistle) McQ. (On sugar spoon.)

A remarkable feature about the Banff marks is the variable character of the town mark, there being at least six different varieties.

The following list of goldsmiths and silversmiths is gleaned from the minute books referred to :—

- (1) WILLIAM SCOTT, elder, goldsmith (c. 1670-1699). An imposing monument is still to be seen in the old churchyard, erected by him about 1698 to the memory of his wife.
- (2) WILLIAM SCOTT, younger, goldsmith, (c. 1687-1741) in Banff, and afterwards in Aberdeen.
- (3) PATRICK SCOTT, goldsmith (c. 1712), supposed to have been a son of William Scott, elder.
- (4) PATRICK GORDON (1733-1741) admitted in 1732 as gold and silver smith, paying as composition 30s. and 40s. Sc. as loft money. His "sey" was appointed to be a silver outer case of a watch, a spoon, and a gold stoned ring. William Scott,

goldsmith in Banff, and John Reid, watchmaker, to be judges of said "sey."

- (5) THOMAS FORBES (1747-1750?), goldsmith and jeweller, admitted freeman in 1747. His "sey"—a gold mourning ring, a pair of silver buckles, and a punch ladle, and he to give the ordinary treat to the trade, and pay £6 Sc. of composition.
- (6) JOHN ARGO (1771-1795), silversmith, admitted, on paying 25s. of composition, into the Incorporation of Hammermen, he being bound "to give a treat to the Incorporation in the ordinary way." In 1785 a John Argo, goldsmith, was admitted burgess.
- (7) WILLIAM BYRES (1778-1792). The Incorporation dispensed with an essay from him, he paying £3 Stg. as composition, and 5s. to the convener's box, and paying all other dues as former free members.
- (8) JOHN KEITH (1794-1824), goldsmith and silversmith.
- (9) DAVID IZAT (1794-1797), goldsmith.
- (10) GEORGE ELDER (1819-1843), gold and silversmith.
- (11) JOHN MCQUEEN (1829-1839), silversmith.
- (12) WILLIAM SIMPSON (— c. 1855).

TRADE AND WARING.

The "Books for taking up the Trade and Waring of Merchants," which are nearly complete from 1741 till 1804, enable us to obtain a good idea of the trade of the town from year to year. The following figures represent the total for the whole burgh:—

1741	...	...	£166,497 Sc.	1769	...	...	£234,334
1742	...	...	100,386	1785	...	...	312,207
1743	...	...	123,856	1786-94,	£29,498	Stg. (Average)	
1744	...	...	116,602	1794	...	...	£33,554
1746	...	...	83,474	1796	...	...	41,845
1747	...	...	69,664	1798	...	...	44,007
1748	...	...	74,320	1800	...	...	47,803
1749	...	...	65,227	1801	...	...	54,559
1758	...	...	168,188	1802	...	...	52,835
1761	...	...	203,976	1803	...	...	47,496

In most instances the amount of "waring" is signed in the Book by the individual "merchant" himself. The Stent Masters fixed the waring of those who did not appear, but few were of this category. The waring of the 35 "merchants" in the town in 1758 varied from £500 Sc. to £12,000 Sc., the average being £3175 Sc. A few representative amounts may be quoted :—

1741	Pat. Duff of Whitehill,	£500 Sc.
1742	James Bartlet, merchant,	£12,000 Sc.
1743	George Leslie,	£24,400 Sc.
1743	Alex. Hay, linen weaver,	£6000 Sc.
1758	Patrick Cassie,	£2500 Sc.
1762	" "	£9000 Sc.
1762	Miss Cooks, milliners,	£3600 Sc.
1765	John Milne, merchant,	£14,400 Sc.
1768	" "	£28,800 Sc.
1773	George Robinson,	£67,200 Sc.
1777	" "	£70,200 Sc.
1781	George Robinson & Co.,	£2000 Stg.
	for their thread business, and	£4000
	Stg. for their stocking manufactory.	
1799	George Robinson & Co.,	£6000 Stg.
1801	" "	£10,000 Stg.
1780	John Reidford, shoemaker,	£29,889 Sc.
1785	Miss H. Robertson, milliner,	£3240 Sc.
1785	Miss A. Gillan, milliner,	£1200 Sc.
1785	James Imlach,	£11,760 Sc.
1785	Brewery Co.,	£24,000 Sc.
1785	John Stuart, hairdresser,	£480 Sc.
1786	Alex. Wright, hairdresser,	£120 Stg.
1786	Miss Robertson, milliner,	£860 Stg.
1791	" "	£300 Stg.
1788	James Dick, vintner,	£552 Stg.
1789	Thomas Cave, physician,	£196 Stg.
1791	" "	£325 Stg.
1792	" "	£400 Stg.
1797	" "	£810 Stg.
1791	Soapery Co.,	£544 Stg.

The following statement by Mr. William Rose, Clerk, and afterwards Factor, for Earl Fife from about 1762 till 1790, shows the advance the district was then making :—

"When I entered, the clear rental of the estate of, and around, Duff House, was, including fishings, 754 bolls meal and £1541 in money. When I left - - - 837 " " £3107 "

"When I entered his Lordship's estate the rentals will prove to be £9207 1s. 9d. When I left the charge of his Lordship's estate the gross rents were about £19,570 yearly."

He also claimed that he had reduced the family debts from £42,000 to £25,000.

PRICE OF PROVISIONS, &C.

As a summary statement of the cost of the usual articles of food, &c., is often of value in considering the state of a district, the following list has been compiled, being taken from a great variety of contemporary local records * :—

MEAL.

8s. 6d. per boll—seven years' contract from 1758.	
9s. " " " 1764.	
9s. 6d. " " " 1767.	
10s. " " " 1768.	
11s. 7½d.—average price per boll 1762-1782.	
13s. 2d. " " 1782-1795.	
21s. per boll of 8 stones, Dutch weight, in 1798.	

BEEF, &C.				EGGS, &C.			
Beef, 2½d. a lb.	-	-	1757	Eggs, 3d. a dozen	-	-	1792
" 2½d. " "	-	-	1773	" 6d. " (July)			1807
" 6d.-7d. " "	-	-	1808	" 8d. " (Dec.)			1807
" 5d. " "	-	-	1821				
" 4d. (servants' beef)			1821	Hen, 8d.	-	-	1792
Whisky, 2/- a pint	-		1764	Port, 16s. a dozen	-	-	1765

* Compare an interesting table of prices in 1790, 1821 and 1850, *sub* "Edinburgh" in Fullarton's "Imperial Gazetteer of Scotland."

BEEF, &c.—*cont.*

Whisky, 3/6 a pint	-	1783
" 2/- "	-	1791
" 2/6 "	-	1796
" 4/6 "	-	1804
" 5/6 "	-	1809
" 5/3 "	-	1811
" 6/3 "(25 O.P.)	-	1812
" 4/- "	-	1815
" 2/8 "	-	1817
" 2/6 "	-	1824

Salmon, 1½d. a lb.	-	1757
" 6d.-9d. "	-	1798

SUGAR, &c.

Sugar, 6d. a lb.	-	1737
" 9½d. "	-	1757
" 8½d.-11d. a lb.	-	1764
" 1/6 a lb.	-	1794
" 1/- "	-	1796
" 1/2½d. a lb.	-	1804
" 1/10 "	-	1815
" 1/2 "	-	1816
" 1/3-1/5 "	-	1817

Milk, 3d. a pint	-	1808
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Castile Soap, 14 oz., 1/-	-	1764
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Linen, 2/- a yd.	-	1780
" (17 hunder) 2/10	-	1780
" 1/5 -	-	1784
" (bleached) 1/3	-	1800

Cambric, 18/- a yd.	-	1816
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Cotton, 1/- a yd.	-	1812
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EGGS, &c.—*cont.*

Port, 18s. a dozen	-	1768
" 29s. "	-	1798
" 27s. "	-	1815

Sherry, 31s. a dozen	-	1798
" 27s. "	-	1815
" 25s. "	-	1818
" 23s. 6d. "	-	1824

Small Beer, 2/6 an anker	-	1774
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Twopenny, 3/4 an anker	-	1774
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Strong Ale, 1½d. a bottle	-	1767
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Strong Claret, £14 Stg. ahhd.	-	1725
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TEA, &c.

Bohea, £2 8/- Sc. a lb.	-	1737
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" £2 14/- Sc. "	-	1744
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Congo, 6/- Stg. "	-	1757
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Green Tea, 10/6 "	-	1757
-------------------	---	------

Bohea, 5/- a lb.	-	1763
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Congo, 6/- "	-	1775
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" 5/- "	-	1796
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Souchong, 5/6-6/6 a lb.	-	1796
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Hyson Green, 9/6 "	-	1796
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Gunpowder, 14/- "	-	1796
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Green Tea, 12/6 "	-	1804
-------------------	---	------

Gunpowder, 16/- "	-	1805
-------------------	---	------

Congou, 8/4 a lb.	-	1815
-------------------	---	------

" 8/- "	-	1816
---------	---	------

Gunpowder Hyson, 15/- "	-	1816
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Green, 12/- a lb.	-	1817
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Coffee, 2/8 a lb.	-	1813
-------------------	---	------

Rum, 4/6 a bottle	-	1800
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BANFF IN 1798.

In the Statistical Account of the parish, written in 1798 by the Rev. Abercromby Gordon,* not a little information is recorded regarding the town and district. The Statistical Account of the parish, written in 1836 by Rev. Alexander Smith, is equally instructive. A few extracts may be given therefrom, bearing on points not specially referred to elsewhere in these pages :—

"About forty years ago [that is c. 1758] potatoes and turnips were cultivated as rare vegetables, in the garden, and were not brought to market. Now, cattle are chiefly fed by turnip; potatoes are frequently given to horses, and are sold in great abundance by the gardeners, and in the weekly markets, at 6d. and 7d. a peck, of 32 lbs. weight. It is a curious fact that on the introduction of this useful root, the great landholders were alarmed lest it should be the means of depreciating the value of grain, the staple commodity of the country. The effect, however, has been the reverse; grain of all kinds being, for some years past, in greater demand, and at higher prices, than at any former period."

The writer then refers to the revolution wrought in the method of farming by the beneficial exertions of the Earl of Findlater, who, for a time, resided at Banff Castle.

"Carts were not used in this parish till the year 1728, when Mr. Duff of Corsindae, then residing in Banff, introduced them, having procured two 'timber carts,' at the price of 5s. each. The creel or curroch was then the common vehicle in use. Grain, meal, and lime, for exportation, were brought hither on horseback, from the most inland parts of the country. The only plough then used, was what is known by the name of the old Scottish plough, in its rudest form. Now [1798] carriages, ploughs, harrows, and the various utensils of husbandry, of the most approved and modern construction, are either imported from Leith, or manufactured in this country."

The writer of the Old Statistical Account of Banff thus contrasts a previous age with his own :—

* Stat. Acct. of Scotland, vol. xx. pp. 319-382.

“ 1748.

A gown of linsey-woolsey was the usual dress of a laird's daughter. Her mother appeared on great occasions in a silk gown and fine laces, which were considered as part of the paraphernalia destined to the succeeding generation. Ladies seldom wore any other than coloured stockings. The town could only boast of one silken pair, and these were black. The occupation of milliner was totally unknown.

A four wheeled carriage was a luxury seldom enjoyed, unless by the nobility.

A gentleman and his wife generally rode together on the same horse.

Drawing-rooms and dining parlours were no less rare than carriages.

Mahogany was seldom seen save in the tea-tray, the round folding table, and the corner cup-board.

Most of the useful articles of merchandise might be procured in the same shop. Almost every trader was denominated 'merchant.'

A joyous company, after dinner, have been seen quaffing the wine of a dozen bottles from a single glass.

1798.

The decoration of our persons is now become a more general study among both sexes, and all ranks. The art millinery affords employment and profit to many; and every trading vessel from London brings a fresh assortment of dresses, adjusted to the prevailing mode.

Post-chaises are now in general use. Several private gentlemen keep their carriages.

The pad is become the exclusive property of the country goodwife.

The minister of the parish must have his drawing room.

Mahogany is a species of timber in general use for articles of furniture, and the corner press is superseded by the splendid side-board.

The several distinctions of tradesmen are better understood.

A sober party sometimes meet, whose libation consists of a solitary bottle with a dozen glasses.

1748.

Agreeable to Queen Mary's Act of Parliament, A.D. 1563, all butcher meat was carried to market *skin and birn*, and, agreeable to custom, was sold amidst abounding filth.

The annual wages of a great man's butler was about £8; his valet £5; and his other servants £3.

The farmer had his ploughman for 13s. 4d. in the half year, with the allowance of a pair shoes. The wages of a maid-servant 6s. 8d.

Dr. Johnson complained (1773) of our windows.

A draught ox cost £1 13s. 4d.
20 sheep, small size, £4.

Beef and mutton, 1d. and 1½d. a pound.

A hen, together with a dozen eggs, 4d.

Dozen eggs, 1d.

Goose, 2s. a pair.

Turkey, 3s. „

Pigeons, 1½d. „

14 haddocks, 1½d.*

Claret, 1s. a bottle.

1798.

There are convenient slaughter-houses apart, and meat is brought to market seemly, and in good order.

The nobleman pays at least in a quadruple ratio for his servants.

The wages of a ploughman vary from £10 to £12, and of a maid-servant from £3 to £3 10s. *per annum*.

Many of our windows are furnished with weights and pullics. £15, £20 and £25.

£12.

5½d. and 6d. per lb.

Hen, without eggs, 1s. and 1s. 3d.

4d. and 6d.

5s. 6d.

7s.

6d.

1s. 6d.

6s."

* In 1654 the Governor of Inverness, with the Provost and Bailies, fixed the price of haddocks at 5d. per dozen, and salmon at 1d. per lb. The poet William Beattie—a poet who deserves more recognition than he has received—writes thus in the end of last century:—

"But now I canno' tell the tale
For naething's cheap 'at is to sell;
And for the haddocks! wae's my fell!
They're out o' reason;
I saw a saxpence gien mysel',
For half a dizen." ("The Alewife.")

In contrasting a previous age with our own it must be remembered that some shortcomings, generally thought to be peculiarly characteristic of modern times, must have had their origin some considerable time ago, as the following, extracted for their local connection from the unpublished "Rose Letters," show :—

"I am sorry to say the general education of the girls in the country is really nothing but indolence, idleness, and paltry dress, neither accomplishing them, nor fitting them for an honest man's wife." (Letter from Earl Fife, 2nd Feb., 1782.)

"I wish to God all that dancing and dressing, &c., was laid aside, and fathers and mothers bred up their children to be useful members in society. In the present country the boys are quite idle, and the misses do little but dress and walk about. All the duties of the honest man's housewife and the good mother of a family are unnecessary." (Letter from Earl Fife, Whitehall, 15th May, 1783.)

"I have employed the whole of the Lord's day in going through our Accounts and adjusting my Ledger." (Letter from a W. S. in Edinburgh to his friend in Banff, 15th Dec., 1783.)

"I am told there was rather a strange sermon preached in Banff last Sunday by Gibbon, Lonmay. He prayed for the Queen, and said a long story about the ladies being so fond of dress, and the men were bad, but women were worse. Lord Fife it is said was very angry, and said he would not subscribe again for Allardyce for permitting Gibbon to preach." (Letter from Banff, 11th Feb., 1821.)

"There is no describing to you the distress and situation of things here. You have had an idea of them from the newspapers, and it is no more than an idea, and yet the manner in which the country in general and every class and rank were going on required a check. This has been a general, but a severe, one, and I hope it will end in good, and bring us to understand that all paper is not gold, and that retrenching is necessary." (Letter from Mr. William Fraser, Edinburgh, to Alexander Gordon of Aberdour, 8th July, 1772.)

"Lord! pity the man who has any ado with most of the people in this world." (Letter from James Brodie, Muir, 6th March, 1761.)

"If this be the orders, I do think that none [farmers] will be able to make bread, considering the great expences of servants now, besides formerly." (Letter from James Adam, father of Dr. Adam, author of "Roman Antiquities," dated Manbeen, 27th April, 1793.)

"The most to be regretted at present is that we see people in general pay so little attention to the improvement of young people's minds, and very assiduous in learning them embellishments, which they might easily dispense with." (Letter from the Hon^{ble} Jean Duff, 21st March, 1773.)

"I dare to compare the streets of Edinburgh with the finest shrubbery at Duff House, for the many and variegated colours of the ladies' gowns, hats, and cloaks displayed upon our streets would put to blush the finest parterre of tulips. Indeed, this is the season to see our fair nymphs in full perfection. They outshine in looks and dress the finest flowers of the universe, all except the fair rose of Montcoffer." (Letter from Mr. John Anderson, Edinburgh, to Mrs. Rose, Montcoffer, 11th June, 1778.)

JUBILEE OF GEORGE III.

On 25th October, 1809, George III. attained his Jubilee, and in honour of the occasion Banff "manifested every symptom of universal joy. The noblemen, gentlemen, and Lieutenancy of the County met in the Court-house, and a dutiful address, moved by the Earl of Fife, was unanimously approved of. In procession, the Provost, Magistrates, and influential local gentlemen proceeded to church, escorted by the local militia and their regimental band, where the Rev. Mr. Abercrombie Gordon preached an excellent sermon. A numerous party of ladies and gentlemen afterwards dined at Humphrey's Hotel, where loyal and patriotic toasts were given, accompanied by volleys of musketry from the local militia and favourite tunes from the band. The festivities of the day were concluded by a grand supper and ball. Several families in town gave dinners to the poor, and the collections at the various places of public worship were liberal, as well as the donations given by many of the ladies and gentlemen who took part in the ceremonial." (*Aberdeen Journal*.)

LITERARY SOCIETY.

"A Literary Society was instituted in 1810 by five boys (the most advanced of whom had only obtained the standing of three sessions at College). The institution originally embraced two objects,—the formation of a library, and meetings for delivery of essays and discussion of literary subjects. But the latter object was, after a time, necessarily abandoned,

from the paucity of persons having resources for contributing to it. The library * now (1836) contains above 2000 volumes." (Stat. Acct.)

Additions since made to the library now bring up the number of volumes to upwards of 6000. Of the "five boys" above referred to one—Lewis W. Forbes, son of Sheriff-Substitute Forbes—became Minister of Boharm, and in 1852 was elected Moderator of the General Assembly. Another—Alexander Smith—became a licentiate of the Established Church, and the author of a "Philosophy of Morals" and other works. A third was Mr. William Bartlet, proprietor of the Banff Brewery. The Society's list of honorary members includes Sir Alexander Duff of Delgaty, Sir George Abercromby, Bart. of Birkenbog, and his son Robert Abercromby, M.P., and Captain Thomas Russel of Rathen, father of the Misses Russel, founders of the Russel Bequest, who were elected in 1811. Sir Robert Turing, Bart., Banff Castle, was elected in 1812, Earl Fife in 1815, and Walter Biggar, Leith, the founder of the Continental herring trade, in 1818. In 1819 was added the name of Robert Southey, the Poet Laureate, who was then on a visit to Banff. In 1822 and 1823 were enrolled Colonel Grant, afterwards Earl of Seafield, the Duke of Gordon, Sir Richard Birnie, the Bow Street Magistrate, a native of Banff, and a great favourite of George IV. when Prince of Wales, Capt. James Grant Duff of Eden, father of Sir M. E. Grant Duff, and other well-known names.

BANFF SOCIETY IN 1816.

A pleasant peep of Banff Society as it presented itself in the year 1816 is given by an anonymous writer in the *Banffshire Journal* of 26th February, 1878. Its truthfulness does not constitute its sole merit:—

BANFF AND ITS WORTHIES, 1816.

"On Banff, fair town,
The sun went down
With more than usual splendour bright,
When from the hook,
My cloak I took,
And went to view the lovely night.

* A Circulating Library existed in Banff at the close of last century. "From our constant intercourse with London by sea we have early access to the periodical and other publications of the day. The Reviews we generally receive from the bookseller here in the course of the month succeeding their publication in London." (Old Stat. Acct.)

" I climbed the hill,
Where, high and still,
Fair Venus' Temple stands serene ;
I gazed around
Where mountains bound
The moonlight's soft and silent scene.

" Before me stood,
In sportive mood,
A little Fairy Elf upright,
And in its hand
It held a wand,
And said, ' Look down on that fair sight.'

" On Banff I gazed ;
The roof was raised
Of every house I there could see ;
And what was done
By every one
Was known to Fairy Elf and me.

" By cheerful fire,
With book and lyre,
I saw a widow in her room ; ⁽¹⁾
Near her a maid, ⁽²⁾
Whose looks portrayed
Her noble birth and mental bloom.

" I saw a third, ⁽³⁾
A lovely bird,
Blithe laughing all the night away ;
I saw a fourth, ⁽⁴⁾
Just from the north,
Who danced right merrily and gay.

(1 & 2) Mrs. James Duff and her fair daughter Anne, afterwards spouse of Walter Biggar, Esq.

(3) Bonnie Jeannie Wilson, sister to Sir James Wilson.

(4) Miss M'Donnell, spouse of Colonel Kyle of the 42nd Regiment.

" On rose bush see,
 Sweet blossoms three, ⁽⁵⁾
 With fair Rose blooming o'er them ;
 And still prepared,
 Their faithful guard,
 A custos rotulorum.

" And now, behold !
 Of finest mould,
 Two beauties ⁽⁶⁾ bright as Cupid's mother,
 In balance fair,
 I weigh the pair,
 But neither scale weighs down the other.

" Next, in a crack,
 A man in black, ⁽⁷⁾
 Sat smiling by his evening hearth ;
 Whilst round his chair,
 Alert and fair,
 Were sweet contentment, peace, and mirth.

" Lo ! at their desk,
 Still at their task,
 The men of paper and of gold ; ⁽⁸⁾
 Search all the north,
 There's not more worth ;
 They're worth their guineas ten times told.

" Two damsels more ⁽⁹⁾
 My eyes explore,
 The famed De Staels of this strange town ;
 Books, books they prize,
 Not lovers' sighs,
 The mind to them's a prince's crown.

(5) Mr. Rose and daughters.

(6) Misses Mary and Susanna Robinson, daughters of Colonel G. G. Robinson.

(7) Rev. Abercromby Gordon, minister of Banff.

(8) Messrs. Imlach, bankers, &c., in Banff.

(9) Miss Duff of Hatton and Miss H. Robertson.

" Hark ! how around
 The notes resound
 Of music breathed from organ grand,
 Now high, now low,
 Now quick, now slow,
 They come from Annie's skilful hand. ⁽¹⁰⁾

" The man of law, ⁽¹¹⁾
 Whose greatest flaw
 Is that he dearly loves Glenlivet.
 See how he swills,
 And how he fills ;
 The law is dry—the devil cleave it.

" The major, too, ⁽¹²⁾
 Well pleased I view,
 The very fiddle-stick of fun ;
 And with him sits
 The king of wits, ⁽¹³⁾
 Whose brains of Attic stuff is spun.

" Once more I gaze,
 And to a blaze
 Of glory streamed from mansion grand ;
 A coronet bright, ⁽¹⁴⁾
 Gave all the light,
 It beamed and gladdened all the land.

" Aloft in air,
 A spirit fair
 Came gliding on a lunar ray ;
 It left myself,
 But Fairy Elf
 Was in a moment snatched away."

(10) Miss Anne Robinson, daughter of Provost Robinson.

(11) Sheriff Forbes of Banff.

(12) Major M'Killigan, Provost of Banff.

(13) Archibald Young, Esq., Procurator-Fiscal for County.

(14) Earl of Fife, Spanish Grandee, Duff House.

SOUTHEY IN BANFF.

A few years after the period above referred to, a more illustrious poet records his impressions of Banff—Robert Southey, the Poet Laureate. Southey accompanied his friend, Telford the engineer, to Banff in 1819, in connection with the Harbour works, and thus writes of the town:—

“The approach to Banff is very fine, by the Earl of Fife’s grounds, where the trees are surprisingly grown, considering how near they are to the North Sea; Duff House—a square, odd, and not unhandsome pile, built by Adams (one of the Adelphi brothers) some forty years ago; a good bridge of seven arches, by Smeaton; the open sea, not as we had hitherto seen it, grey under a leaden sky, but bright and blue in the sunshine; Banff on the left of the bay; the river Deveron, almost lost amid banks of shingle where it enters the sea; a white and tolerably high shore extending eastwards; a kirk with a high spire, which serves as a sea-mark; and on the point, about a mile to the east, the town of Macduff. At Banff, we at once went to the pier, about half finished, on which about £15,000 will be expended, to the great benefit of this clean, cheerful, and active little town.”

BANFF INSTITUTION.

In 1828 was founded the “Banff Institution for Science, Literature and the Arts, and for the Encouragement of Native Genius and Talent.” The Institution became defunct, but the Museum which it originated continues to live and is constantly adding to its treasures.* The famous Thomas Edward, F.L.S., was for many years Curator of the Museum, and did much to increase its attractions. The Museum was transferred to the management of the Magistrates and Town Council in 1875.

The Report of the Institution issued in 1830 states that “the Book of Transactions contains numerous notices . . . regarding general and local antiquities, &c.”

THE GREAT REFORM MEETING OF 1832.

On 24th May, 1832, a great Meeting was held on the Green Banks of

* Cf. T. C., 1875.

Banff in support of the Reform Bill. The following is a summary of a contemporary report of the meeting :—

“Early in the day, a white banner was hoisted at the back of the hustings : motto—‘ Our King, his Ministers, and Reform.’ Flags were also hoisted at the Cross of Macduff and on many elevated situations around, and the vessels in both harbours were decorated with colours. Little or no business was transacted in either town during the day—all was preparation for the meeting ; while numbers of people from the vicinity were assembled in front of the Trades’ Hall and other places where flags were displayed, examining the mottoes and devices.

“At three o’clock, the trades in holiday garb began to assemble in their hall and prepare for the procession. At four o’clock, the sound of music announced the approach of the procession from Whitehills and Portsoy ; and, as they passed along the streets, carrying several very handsome flags, and headed by a number of horsemen, they had an imposing effect. Among the flags, we observed two very conspicuous : one, a large union, motto—‘ We’ve nailed our colours to the mast, and our banner is Reform ’ ; the other, a large white flag, motto—‘ We’ll stand by our Helmsman.’ So complete was the turn-out from Whitehills, that only two old and infirm men were left at home ; and among the Whitehills procession were two persons sent on board men-of-war for their share in the attempted reform of forty years ago. When this part of the procession halted in front of the Trades’ Hall, they were greeted with three hearty cheers from the trades. The Banff trades then arranged themselves ; and the procession proceeded along Low Street and Bridge Street to the Green Banks in the following order, the band playing ‘ The Campbells are coming.’ ”

“The procession made for the Green Banks in the following order : Horsemen, Band of Music, Reform Committee, Convener, Assessor, and Boxmaster of Trades, the several Trades bearing their own colours—Hammermen, Wrights, Coopers, Shoemakers, Tailors and Weavers. Then came Juvenile Trades bearing flags with such mottoes as “ From the rotten burgh system, Good Lord, deliver us.” Processions from Whitehills and Portsoy followed. Then joined in the Macduff Reformers, led by horsemen, and accompanied with a band of music and numerous flags bearing suitable mottoes. The Macduff contingent extended from the Bridge of Banff to near the town of Macduff.

"At the same time that the Macduff procession began to move towards the Green Banks, the boats of that town also started, each decorated with flags and flowers of various descriptions, fully manned, and cockswain to each, all well dressed and uniform. On leaving the harbour, they formed a line about a boat's length from each other, which extended a long way across the bay, the headmost boat carrying a Union Jack flying forward, and a large burgee aft : motto—'Grey, the pilot that weathered the storm,' each flagstaff neatly fringed at top with flowers. The whole fleet then proceeded in line, the band playing appropriate tunes while they entered the river, and sailed in serpentine procession close up to the back of the hustings, where they formed a double line. They were then welcomed with three hearty cheers from the hustings and assemblage on the Green Banks, during which the men held up their oars perpendicularly, after which the seamen returned the compliment with three cheers in fine style, and continued to return them during the meeting.

"The scene from the hustings was now truly beautiful and imposing, and viewed from the surrounding high grounds is described as particularly animated.

"It being by this time five p.m., the chair was taken to the sound of the bugle, accompanied by a discharge of small cannon from the boats."

Mr. Mackintosh, formerly of Calcutta, and afterwards of *La Mancha*, presided. Several resolutions were passed, the movers of which were John A. Cameron, Esq., Mr. Thomas Richardson, Dr. Whyte, Mr. Christie, &c. The third resolution was to the following effect :—

"That Earl Grey, Lords Brougham, Althorp, and Russell, and the whole of His Majesty's Ministers, as well as the noble minority of the House of Lords, have merited the best thanks and gratitude of the people for their unwearied and uncompromising services in the cause of Reform, and this meeting is certain that His Majesty's Ministers alone are capable at present of forming a Government which will possess the confidence of the country, or can preserve tranquillity either at home or abroad."

The number of persons who took part in the business of the Meeting was estimated to amount to 4000, exclusive of bystanders and spectators on the surrounding heights.

THE "BANFFSHIRE JOURNAL."

It would be difficult to name any enterprise connected with Banff which has more identified itself with the town, or which in its career, extending now to nearly half a century, has had a more widespread and beneficial effect than the *Banffshire Journal*. Guided throughout almost the whole of that time by its present able and genial editor—Mr. Alexander Ramsay—it has never swerved from his high ideal, and it still, amidst all the altered circumstances of newspaper life, continues to maintain its well-deserved pre-eminence.

"From Peterhead the next newspaper stage is Banff, which is the capital of the county. Though the population is only about 7500, it has had a newspaper, under the title of the *Banffshire Journal*, for upwards of a quarter of a century. It was established in 1845. For the first year of its existence the editorship was confided to Mr. James Thomson, of Aberdeen; but on the expiry of that brief period Mr. Alexander Ramsay became the editor, and has continued to discharge the duties of the office ever since. It is printed on an eight-page sheet the size of the *Times*; but in type so small, though perfectly clear, that it has been ascertained by comparison that it contains one-fifth more matter than the average of the eight-page papers either in Scotland or England.

"One great feature of the *Banffshire Journal* is the space which it devotes to local intelligence. In this respect I do not know of any competitor north of the Tweed. The quantity of that class of information which the *Banffshire Journal* presents to its readers, week after week, is surprising. I am sure they must wonder whence it all comes. To me, who am personally acquainted with the district, it is a marvel. Mr. Ramsay, on his accession to the editorship, displayed sound judgment in making this the great feature of his paper. He established local correspondence in every hole and corner, or to speak in Scotch phraseology, in every 'neuk' of the county. Nor did he rest contented with doing that. As the *Banffshire Journal* circulates to a considerable extent in the adjoining counties of Moray and Aberdeen, he also entered into arrangements with competent correspondents to furnish him with local intelligence from the more desirable portions of these counties. I feel assured that this feature of Mr. Ramsay's paper has done more to insure its eminent

success than any other. I have often seen copies of the *Journal* containing a sufficient amount of local intelligence to have made very nearly one of the sparsely-printed volumes which are now so common in our circulating libraries.

"But the quantity and variety of its local intelligence is not the only feature of the *Banffshire Journal*. It has always devoted especial attention, and a large portion of its space, to the subject of agriculture, both in relation to information respecting, and the discussion, in the form of leading articles, of questions bearing directly on the agriculture of the county. In these respects the statistics it furnishes from time to time are not only interesting, but possess a great practical importance.

"Another feature of the *Journal* is the attention paid to the coast and river fisheries of the district. This has been a great service both to these interests and to the paper, because Banffshire is a part of Scotland in which an extensive fishery trade is carried on.

"Yet with all the attention which the *Banffshire Journal* pays to agriculture, the fishing interests, and other trades of the district, there are few papers in Scotland which devote more of their space than it does to the literature of the day. In no provincial journal, either in Scotland or in England, are better reviews of new books, especially as respects an analysis of their contents, to be met with than in its columns. The earliness, too, of the *Banffshire Journal's* reviews of works of great and general interest, is a characteristic which none of its readers can fail to have been struck with. It chanced to consist with my own individual knowledge that not long ago Mr. Ramsay received a book, to which he attached importance, on Monday, and his readers found, on the following day—the day of publication—a review of the work in question, extending to four columns and a half, and giving as good an analysis of the book as if the writing of the review had been Mr. Ramsay's occupation for a week.

"With regard to the politics of the *Banffshire Journal*, I should first of all say that it never has taken any decided line. I consider them to be moderately Liberal, or Liberal-Conservative, with perhaps a leaning to the Liberal side. Anything extreme in its dealings with political questions, is certainly not one of its features.

"Until the beginning of the present year the *Banffshire Journal* was published at threepence; the price was then reduced to twopence. I am

not in a position to say what effect the reduction must have had on the circulation in the way of increase ; but if, which I know to be the fact, the circulation was before 3700 copies weekly, I feel assured that it must be over 4000 copies now. I doubt if there be any Scotch provincial weekly paper published at the same price which can boast of a greater circulation than this. And, let me add, that the number of its advertisements corresponds with the extent of its circulation. It frequently contains from twenty to twenty-four columns of advertisements, and as they are printed in small type, and with all practical condensation, so as to give due prominence to all, it will readily be believed that the number of advertisements which weekly appear in its pages is very great." ("The Metropolitan Weekly and Provincial Press," by James Grant. London: 1872.)

FUNERAL OF JAMES, FOURTH EARL FIFE.

In March, 1857, were deposited in the family mausoleum at Duff House, amidst general tokens of regret, the remains of one of the most notable men in the north of Scotland. "A warrior and a courtier, a nobleman and a statesman, he yet rejoiced most of all in the title of the 'Poor Man's Friend.'" He was born at Aberdeen on 6th October, 1776, educated at Inchdrewer by Dr. Chapman, at Westminster School and at Oxford, and afterwards entered a student of the bar at Lincoln's Inn. He served under Wellesley in Spain, and distinguished himself in the battles of Talavera, Ocana, &c. His father dying in 1811, he returned home in 1813, and was received at court with special favour by the Prince Regent. He represented the County of Banff for about eight years, until in 1827 George IV. conferred on him a British peerage. From 1833 till his death Lord Fife resided at Duff House, vastly improving his estates, and dispensing his charity in the most liberal manner. Two thousand persons followed his remains to their last resting place, and from eight to ten thousand persons were on the ground.

DEATH OF JAMES, FIFTH EARL FIFE.

James, fifth Earl Fife, died on 7th August, 1879, and his remains were placed in the mausoleum at Duff House, about three thousand persons

attending the funeral. "And so amid the regrets of many hearts, and with proofs of affection from all classes, and marks of favour from his Sovereign, were borne to the tomb the ashes of a man of generous nature, who, occupying a high and influential position, never made an enemy or failed a friend."

THE PRINCE OF WALES IN BANFF.

On 13th November, 1883, the Prince of Wales arrived at Banff on a visit to Earl Fife. No demonstration of like magnitude and enthusiasm probably ever occurred within the royal burgh. About twelve thousand people took part therein, and the display of flags and decorations throughout the town was magnificent. The various public bodies were orderly marshalled along the route by which the Prince passed from the Harbour Station to Duff House. These included the Volunteers, the Masonic Lodges, the several Trades, school children of Banff, Turriff, &c. Loyal addresses were presented to the Prince from the Town Councils of Banff and Macduff. Balls, banquets and illuminations concluded the day's proceedings.

RECEPTION AND WELCOME TO THE DUKE AND DUCHESS OF FIFE.

On 12th October, 1889, the Duke and Duchess of Fife arrived at Duff House on their first visit to the principal family seat of the house of Fife after their marriage on 27th July preceding. Leaving Mar Lodge in the forenoon they arrived at Banff Bridge Station in the afternoon. Here they were welcomed by representatives of the public bodies of Banff, Macduff and neighbouring towns, and as they drove towards Duff House they were greeted with great enthusiasm by the thousands assembled. Upwards of two thousand school children joined in the reception. Before the Duke and Duchess entered the house His Grace advanced to the front of the balcony, and in a few well-chosen words returned thanks for the magnificent reception accorded them. In the evening was a display of fireworks, and the houses of the town were brilliantly illuminated.

FURTHER REFERENCES IN LITERATURE.

References to the town and district of Banff are not unfrequently met with in the literature of the last few years. The following quotations may suffice:—

(1) *The Mysterious Stranger, or The Bravo of Banff*. By Leitch Ritchie. (From "Friendship's Offering," 1833.)

"Banff, in addition to its being one of the most beautifully situated towns on the northern coasts of Scotland—which is pretty nearly the same as saying on the face of the whole earth—is surrounded by all the charms which, like those of women, attract the spoilers of fashion. . . . Its chalybeate springs resemble, while they surpass, those of Tunbridge Wells; its walks, rides and drives are unrivalled in the kingdom; the mighty and magnificent sea breaks upon its cliffs, or gambols on its golden sands; and the romantic Deveron plunges into the waste of waters by its side.

"Banff, although cheerful and lightsome in its aspect, has yet a solitary look. It seems to stand apart, with a kind of *prudish* decorum, from the rest of the world; and this character attaches even to the inhabitants themselves."

(2) *The Wreck of the White Bear, East Indiaman*. By Mrs. Ross, author of "Violet Keith." Montreal: John Lovell (1870).

In this story Banff appears as Peterstown. The Elf Kirk—which has since the date of the story been removed by the formation of the road to the Links—is thus described:—

"The Elfin Kirk consists of two immense rocks several hundreds of feet in height, joined together at the back, the hollow inside of which presents the appearance of a giant chancel, hence its name. At the time of our visit we had still light enough to see the black sides, dotted here and there (wherever a handful of earth blown down from above had rested), with sea daisies, and long tufted wiry-looking sea grass; and further down, where the sea reached at high tide, long trailing green sea weed; and, lower still, limpets, whelks, and other small shell fish, which were all designated by the common name of buckies, clung tenaciously to the black shelving sides of the rock which formed their home, while cart-loads of what we called sea ware, a coarse description of sea weed

used as manure by the farmers in the vicinity, formed a soft although wet carpet at the very back of the cave, where it had been dashed by the tide. I felt my blood run cold as I looked up to the black shelving rock whose dripping and in part overhanging sides seemed to shut us in from light and life, all covered with black and green trailing slimy things, except where the few feet of sky above exerted its vivifying influence in calling the green and purple sea-daisies into life.

"'You are cold,' said my father, 'I might have thought of that, the noon day sun never enters here, and at this hour with your light clothing no wonder you shiver.'

"'It was not cold that made me shake; I was thinking what an awful death it would be were one to fall from that giddy height.'

"'Awful, indeed,' said my father, looking up and shuddering as he spoke, 'such a death once took place here, a young girl fell from the table-land above; a little puppy was the companion of her walk, and, trying to save him, she lost her footing and fell headlong to the bottom of the cave. Come, darling, let us leave the eerie place, and go round to the top, where we can see the moon rising out of the water.'"

(3) *It 'ill a' Come Richt*—a Scottish story of thirty years ago. Aberdeen: John Adam (1872).

In the course of the story occur descriptions of the Bridge of Banff, and other scenes in the surrounding district.

(4) *Poems and Songs*. By John S. Rae, Burngrains, Alvah, Banff (1884).

Mr. Rae was born on the 25th January, 1859, the hundredth anniversary of the birth of Burns. He thus sings the praises of

BONNIE BANFF.

O! Bonnie Banff! where waters meet
 'Tween leafy wood and flowing wave,
 You proudly stand, while round your feet
 The rushing tides of Deveron lave.

When early spring, with bursting buds,
 Wakes all the warbling feathered throng,
 Amid Montcoffer's greening woods
 They sing their first and sweetest song.

And there, when summer's flowery wreath
 Hangs fresh and fair on every bough,
 The youthful lovers' hearts out-breathe
 The old and oft-repeated vow.

Around them smiling Nature sings,
 Her wanton song with joy they list ;
 Each merry note that gladsome rings
 Finds echo in each throbbing breast.

And landward if they may not rove,
 O ! bonnie Banff ! they have thy bay,
 Where they may row and whisper love
 Amid the music of the spray.

O ! Bonnie Banff ! where waters meet
 'Tween leafy wood and flowing wave,
 You proudly stand, while round your feet
 The rushing tides of Deveron lave.

EXTRACTS FROM BURGH COURT BOOK, 1753-1802.

1753.

May 14.—The vaults under Lord Banff's old lodgings at the Cross, which now belong to the town, are let as follows: the vault possessed by James Smith, senior, cooper, and Patrick Cassie, merchant, let for 7s. Stg. for a year, the vault possessed by John Meldrum let for 7s. Stg., the vault possessed by William Tweed let for 13s. 2d. Stg., and the vault possessed by Robert Davidson, smith, let for 9s. Stg.

June 12.—Wm. Watson, merchant, fined £2 2s. Stg. for throwing down some rubbish upon the street called the Strait Path, contrary to the laws of the burgh.

December 17.—Three men and four women fined £10 to £12 Sc. for fornication, in terms of the Act of Parliament.

1756.

October 9.—William Watson fined £2 2s. Stg. for pulling down stones out of the pier of Guthrie, and throwing ballast into the Harbour.

1757.

April 16.—Houses and yards, of from 7 to 14 roods each, in the Seatown set at 10d. per rood to Marjory Adamson, George Leall, Andrew Petrie, Alexander Leall, Janet Adamson, William Leall, John Bruce, and Alexander Clerk, who all declared themselves unable to write.

May 10.—"James Leal, whitefisher in the Seatown of Banff, becomes bound and enacted to serve in the whitefishing service of said burgh in time coming, and perform the severall parts and articles incumbent upon any of the whitefishers in the said Seatown, and that he shall not desert or absent himself from the said service without being lyable to be apprehended and imprisoned, on this condition, that the magistrates are to give the ordinary encouragement to him as they give to any of the white fishers belonging to the said burgh."

May 11.—George Leall, youngest, also becomes bound (*ut supra*).

1758.

April 11.—Janet Cheyn, widow, and her children, having been in prison for three weeks for theft, offered to enact themselves to a voluntary banishment from the burgh and liberties thereof, rather than suffer longer imprisonment or undergo the hazard of a legal trial. If they return they are to be imprisoned and publicly whipped and banished. The Magistrates consent to their banishment.

1759.

June 26.—John Leall, fisher, became bound (*ut supra*) as a fisherman in the Seatown of Banff, belonging to the said burgh, he having in consideration of his engagement received from Alexander Lumsden, treasurer, the sum of £8 Sc. for building a house in the Seatown, 4s. Stg. for a line, and 1s. for an oar, as is usual in the like cases.

1766.

July 3.—Strangers and others having complained of the danger they run in being thrown from their horses when passing from the Bridge by the butchers throwing entrails, &c., on the road, and horses thereby taking fright, an Act is passed requiring such refuse to be carried to the north-west of the bulwark within flood-mark, under pain of 5s. Stg. each offence.

1767.

September 28.—“The Magistrats finding that the fishers of the Seatown* are at present upon an uncertain footing with respect to their boats, they therefore have appointed the following settlement and regulations shall be made: As to John Bruce boat the said John Bruce himself, along with Alexander Bruce, James Leil and John Leil are to be the

* The fishermen in the Seatown in 1642 were George Crawford, James Adam and George Morison. In 1756 the fishermen's houses in the Seatown were possessed by the following ten persons: George, Alexander, James, and William Leel, Andrew and James Petrie, Janet and Marjory Adamson, Alexander Clerk and John Bruce.

crew for sailing and taking care of that boat, the said John Bruce to be master in place of the deceast Alexander Leil and to continue with his own scap, and Alexander Bruce to have Alexander Leal's scape, and John Leal to have Walter Leal's scape, and the Magistrates cause dress the said boat on the town's charges. [These fishermen all sign by mark except Alex. Bruce.] As to George Leil's boat the magistrates have appointed the said George Leil to be master, James Petrie in place of Alexander Clerk and to have his scape, and Andrew Petrie and William Petrie to be birthmen in the said boat, and George Petrie and Alexander Liel to be foremen." [These fishermen all sign by mark except James Petrie.]

1768.

January 2.—James Petrie becomes bound as a white fisher in the Seatown all the days of his life.

1769.

The Bleachfield is roused for seven years at £3 per annum. The house has accommodation for four parties, there being four chimneys. Each person coming to wash pays 1s. 6d. per night.

1770.

[The following entry shows the mode of naming the streets then prevalent.]

The dung of the streets set: "(1) From the top of the Strait Path down that path and all the way down the street to the Shambles and as far towards the bridge as houses go and all Bridge Street; (2) Low Street from the Cross to the gate of Lord Fife's old lodging also the Back Path; (3) From the gutter or water run at Mrs. Innes's house all the way out to Guthrie and all the Water Path and Shore Head including the street passing in to the shore by Mrs. Leslie's house and the other street passing also to the shore by the salmon fishing closs and all the way of that shore head; (4) The street from the Gray Stone to the Malt barn and up the street leading to Boindie and the other street leading to

the Gallow hill on both sides as far as the houses go ; (5) The street from the Gray Stone out towards the Sandy hills as far as houses go." These five divisions are set for 5s., 2s. 6d., 3s. 6d., 4s. 6d., and 3s. respectively, one of the conditions being that the streets must be cleaned once a month in summer, and once a fortnight in winter.

December 13.—The treasurer and procurator-fiscal lodge a complaint against George Barber, weaver, and Anne McIron for being guilty of fornication. The accused confess and are fined £1 1s., payable to the procurator-fiscal for the public work of the harbour at Guthrie, this being a pious use.*

1773.

January 5.—George Brown, hirer, is fined 10s. Stg. for refusing to carry the soldiers' baggage.

1775.

February 25.—"Compeared James Petrie, skipper, Andrew Petrie, George Petrie, and William Petrie, all whitefishers in the Seatown of Banff, who in respect of the town providing them with a boat † became all bound and enacted to serve as whitefishers in the said burgh in the usual manner and as they and their predecessors have done in that character, and that for seven years, and to uphold the boat during the said period, as also to pay to the Town Treasurer £20 Sc. yearly for the said boat."

1786.

May 15.—"The Magistrates and Dean of Guild having considered the present prices of flour fix the assize of bread to be baked and sold in the burgh as follows : the penny loaf wheaten to weigh 9 oz. 4 drops, the

* In 1824 Lieutenant William Milne, residing in Keith, "was orderly denounced and put to the horn," by virtue of letters raised at the instance of the Treasurer to the Kirk Session of Keith against him, for not making payment to said Treasurer, being collector for the poor of the said parish, of the sum of £100 Sc., being the penalty incurred by him in having been guilty of the crime of fornication with Margaret Lawrence, a young woman in Keith. In the same year, on 7th August, it is recorded that he was liberated from the gaol of Banff by authority of the Treasurer of the Kirk Session of Keith.

† Between the years 1775 and 1794 the price of a boat was £5 11s. 1d. In 1801 and 1804 the town had to pay £8 each for boats to their fishers, and by 1811 the price had risen to £11.

twopenny loaf 1 lb. 2 oz. 8 dr., the penny loaf, second flour, 10 oz. 8 dr., and the twopenny loaf 1 lb. 5 oz., all English averdupois, all to be sufficiently well baked and marked conform to the quality, the wheaten bread with a large Roman 'W,' and the second flour with a Roman 'S,' besides the initial of the baker's name." Transgressors to be fined and punished at the discretion of the Magistrates.

1792.

"The grass of the Waterside and Barr was roused under the condition that the inhabitants of the burgh shall have liberty of spreading, washing and drying their cloaths thereon, and the scholars shall have the free liberty of the same."

1798.

August 4.—"In presence of George Robinson, Esquire, Provost of Banff, in obedience to an Act passed in the last Session of Parliament establishing regulations respecting aliens arriving in this kingdom, or resident therein, appeared Yves Daneel, French priest, who declares that at the time of the French Revolution he resided at Paris, where he had dwelt twelve years, that he is aged 44 years, that he is French teacher in the Academy of this place, that, driven from his native country, he was obliged to take refuge in England, that he landed in Alderney the 17th Sept., 1792, that he afterwards went to Guernsey, where he remained nearly four years, and left that island the 28th July, 1796, landed at Southampton, from whence he repaired to London, and having obtained a passport from his Grace the Duke of Portland, his Majesty's Principal Secretary of State for the Home Department, he came to Scotland and fixed his residence in this place, where he has continued since the 20th Oct., 1796. (Signed) Yves Daniel."

[Tacked to the page of the Court Book containing the above is a similar declaration in French, in the handwriting of the declarant.]

1802.

There were exposed to public rousp the whole materials of the Old Tolbooth, Council and Court rooms, also the town's right and interest in

the ground above the vaults on which the same stands. The purchaser is obliged by 1st June to take down the said old building as far as the top of the vaults, but so as to leave the same in their present state and unhurt under the pavement, except that the south gable wall (adjoining the house of William Reid, Town Clerk) may stand. The Town Clerk represents that any right the Magistrates could grant to the subjects exposed should not hurt the right the Earl of Findlater, or he, as proprietor of the under vaults, had, but that they should be at liberty to take down these vaults and rebuild them in any form they pleased. The town had no right whatever, and had only obtained liberty for erecting the tolbooth and prisons above the property of others. William Reid, Town Clerk, becomes the purchaser for £56 Stg.

EXTRACTS FROM MINUTES OF HEAD COURTS, 1781-1886.

"It is matter of notoriety that Head Courts were an integral part of the constitution of the Royal Burghs of Scotland. In the Charter of Robert II. the constitution and privileges conferred by him upon Banff are said to be similar to those which had been conferred upon Aberdeen. In Banff the institution has remained in full vigour, and exercises large powers. The stated day of holding the court is upon the 31st of December, but it holds sittings whenever occasion requires. In one instance it sat on the 8th of April (1809) for the purpose of separating the management of the affairs of the harbour from that of the other departments of the burgh, and for sanctioning tables of harbour dues. In another instance it met on the 27th of December, for the purpose of discussing a reference made by the Council regarding a contemplated investment of capital ; and also of taking into consideration a motion for the appointment of a committee of inquiry.

"The Court is held by the Provost and Bailies, and is 'lawfully fenced.' The minutes then set forth that 'the said day being appointed for holding the said Head Court for imposing the cess and other public burdens and taxations of the said burgh, according to the annual custom and practice thereof, and that for the service of the year from Whitsunday 1832 to Whitsunday 1833 ; and public intimation of the same having been duly made by tuck of drum through the burgh, and at different times, and for several days, calling upon all heritors, burgesses, and others, liable to give suit and presence thereto, that none might pretend ignorance ; and the after written court-roll having been called over three several times, and the persons therein named being present or absent, as marked against their respective names, and the absents excused.'

"The court-roll, consisting of all the heritors and burgesses within burgh, is then inserted.

"When the court has been summoned for a special purpose, the minutes, of course, correspond.

"Although the only ostensible purpose of the annual meeting is for imposing the assessments, the court exercises other powers, which are the

necessary concomitants of taxation. As it grants the supplies, so it claims the right of inquiring into the disposal of them. The accounts of the burgh are examined. All the transactions of the magistrates and council are investigated, and the power of approving or disapproving of them is exercised, as formerly stated. The Head Courts authorise public works to be done, or property to be purchased, but do not directly give warrants for borrowing money. What effect would result from a repudiation of the proceedings of the council has not been ascertained, as hitherto they have been approved of by a majority.

"In strictness, the court consists of the heritors and burgesses only; but the other inhabitants are allowed to be present, although it does not appear that they are entitled, or even permitted, to vote or take any part in the discussions. The vote of the majority of the heritors and burgesses present, however small the numbers may be, or however close the division, is held to be binding not only upon the minority, but upon the absent heritors, burgesses, and inhabitants.

"Not only does this Court act in a body, but it also appoints Committees, with power to examine and report. This has been a practice of considerable standing, as is proved by the reports appearing on the records. At a Head Court, 27th December, 1831, a Committee was appointed with instructions to examine the burgh accounts for the period from Michaelmas 1823 to Michaelmas 1831. In conformity with directions from the magistrates, the whole books and documents were laid before the committee, by whom they were minutely inspected. In the report thereon details are given relative to the property, revenue, and debt, and the causes of the increase of the last. The expenditure is investigated; objections are made to certain charges, and savings are suggested. The affairs of the harbour committee or trust are likewise examined, and the consolidation of the management of them, with that of the other concerns of the burgh is considered, but not recommended. Suggestions for improvements on the burgh property, and also for the institution of a sinking fund are made. This report was approved of at a subsequent Head Court and inserted in the minutes.

"The 'Magistrates and Council' do not exercise any power of imposing or levying any local taxes or assessments; but powers to that effect are exercised by the 'Head Court.' The direct purpose of holding the stated meeting of the Court is for imposing the cess and other public

burdens and taxations 'for the service' of the ensuing year. Accordingly, the minutes of 1832 bear, that 'the magistrates and members of the said Head Court present, and who are marked as such in the said roll, resolved, and do hereby unanimously resolve and agree that the sums of money after-mentioned as the King's cess, and other public stents and taxations of the said burgh, for the year foresaid (1833), be, and the same are hereby accordingly stented and imposed upon all lands, fishings, houses, tenements; and upon trade and merchandize; and upon the incorporations; and upon residents and inhabitants within the said burgh and liberties thereof, for the service of the year foresaid, according to the annual practice and custom of the said burgh, uniformly used and observed, to be apportioned or levied and collected from all subjects and persons liable in the payment of the same, in the usual form and manner, and conform to the stent roll to be made up and given to the collector for that purpose: and the magistrates and council are to name stent-masters for apportioning the same accordingly; and which heads of cess and stent, and taxation so agreed to be voted and imposed, are amounting to the sum of £481 17s. 6d. sterling.' A specific state of the appropriation of the monies voted is annexed to the minute. The sum imposed has been the same for many years.

"The court is deemed to possess the power of thus imposing a tax for any purpose whatever connected with the burgh and to any amount; and such, accordingly, has been the practice. For example, an assessment for cleaning and lighting, or erecting public buildings, would be deemed to be included. In a word, this court would, by its own authority, impose those assessments, for which, in other burghs, recourse would be had to an Act of Parliament." ("Report from Commissioners on Municipal Corporations in Scotland (1835), *sub* Banff.") *

* The Parliamentary Commissioners have failed in the foregoing Report to grasp the character, especially the ancient character of Head Courts. The Curia Capitalis or Head Court had not originally as its *raison d'être* the imposition of assessments, for the simple reason that our fathers kept their expenditure well within their income, prompted thereto perhaps mainly by the consideration of the excessive difficulty of contracting loans. The Burgh Records show that it was not till the close of the seventeenth or the beginning of the eighteenth century that stents were imposed by Head Courts. The burgh of Banff began to feel the burden of debt earlier than is usually supposed; for example in 1732, and many years thereafter, the Head Court imposed a stent on the heritors, burghers, inhabitants, and others, for *inter alia* "payeing a year's @rent of money due the Gild box," and in 1735 the Shoemaker craft received £5 as "a year's @rent of £100" due by the burgh. Head Courts formerly resembled ordinary burgh courts in many respects, much of the business being precisely similar; for example, cases of assault and small debt cases were there disposed of, burgesses were there admitted and such like. In fact, so chary

The records of the burgh of Banff show that in former times two Head Courts were held annually—the Pasch and the Michaelmas Head Courts. The Pasch Courts came to an end upwards of a century ago. The Michaelmas Head Court has been held at various dates during the last months of the year. In 1634 it was appointed to be held “in all time coming” on the last Tuesday of September, in place of the first Tuesday of October, to suit the conveniency of burgesses frequenting St. Congan’s Fair at Turriff. In addition to the two Head Courts referred to, which were observed with considerable regularity, the Magistrates exercised the right of summoning Head Courts when necessity demanded. Since the passing of the local Act of Parliament for regulating the municipal government of the burgh—23rd July, 1840—the Ordinary Head Court is appointed to be held “upon some lawful day and at an hour to be fixed by the Provost or Senior Magistrate of the burgh, previous to the annual election of councillors for the said burgh, and of which notice shall be given at least one month previous, in one or more newspapers circulated within the said burgh.” By the said Act the place of meeting is appointed to be the Town House of the burgh. For various reasons the Court was not always held there. In 1550 it was held in John Curror’s house. About 1626 it was held sometimes in the Court House, sometimes in the dwelling house of Robert Ogilvie, burgess, and sometimes in “the great chamber of the place of Banff.” The Tolbooth or ordinary Court House was the usual place of meeting during the eighteenth century, but about 1794 the Court was held in the Trades’ Hall.

The number on the Head Court roll was as follows at different dates : 1736, 175 ; 1804, 192 ; 1818, 161 ; 1837, 149 ; 1839, 144 (of which last number 42 were trade burgesses and 102 others).

From the earliest times fines have been imposed on burgesses absent from the Head Court, but it is by no means clear that such fines were

was the burgh of its privileges, that originally burgesses were admitted only at Head Court, but by 1633 ordinary courts admitted burgesses. Prominence is given in after times to the fining of burgesses for absence from Head Courts, as if that showed such Courts possessed a distinctive character, but it must be remembered that early in the seventeenth century it was customary to fine burgesses for absence from ordinary courts. One important duty of Head Courts was the rouping of the ferry boat, the small customs, and similar sources of burghal revenue. The main duty, however, of Head Courts was the election about Michaelmas of the burgh officials for the year, for the Provost, Bailies, and other high officials of the burgh were in early times elected annually, as will be explained more particularly in the second volume of this work. The present Head Court of Banff, which is not unfrequently referred to as an almost unique relic of antiquity, bears very little resemblance to the ancient Head Court of the burgh, except in name.

exacted. The usual penalty in the seventeenth century was 40s. "for defect of suit and presence." In 1730 the amount was 40s. "for defect of suit, and a like sum for defect of presence." In 1742 the absentees were fined "£4 Sc. for defect of suit, and the like sum for defect of personal presence, said sums to be paid to the procurator-fiscal." In the latter half of the eighteenth century such parties were always excused, the Magistrates however occasionally threatening them. Even in 1830 intimation was made that "the absents will be fined in terms of law." At a Head Court in 1550, 25 members were absent; in 1643, 44; in 1676, 5; and in 1736 no fewer than 80 were absent. In modern times the attendance is very small, only nine members being present, for example, in 1842, and ten in 1888.

The imposing of taxation has latterly been one of the chief duties of the Head Court.* Prior to 1737 the record of the business transacted at Head Courts was entered along with the proceedings of the Town Council and ordinary Burgh Court, the business itself being also less clearly defined than was afterwards the case. The Burgh Records give a collected list of stents on the town from 1625 to 1709, commencing thus: "1625, December 12. Ane stent for the King's taxation and expenses of ane harbourie. Collected by ane sub^t. stent roll at four terms at 428 lib. 14s. termely on heretage and trade." In 1649 and 1650 there were stents for the maintenance of the army, and in 1651 were two separate stents for furnishing soldiers put forth by the burgh, besides a third, being a "stent of £320 imposed for rigging the King to the fields, for payment of bagadge hors, and for payment of 40s. for ilk foot soldier put forth under command of the Master of Banff and for payment of cloath dew to the garrison of Stirling." In 1653 the tolbooth, and in 1671 "ane meall mercat house," had to be erected and stented for, while in the following year a stent of 700 merks was required "for payment of the minister's manse." "Calsae money" appears onward from 1654, a

* About the year 1824 the Town Clerk writes: "It may be proper to observe that no cess or taxes have ever been levied in this burgh but by vote of the inhabitants in Head Court assembled, who have always possessed the privilege of voting the supplies, and of course the right of seeing the appropriation of these supplies. It may be also proper to remark that as far back as the records of the Burgh extend the accounts have yearly been made up previous to Michaelmas, and remitted for audit to a Committee consisting of the Deacons of the Trades and a varying number of burgesses and guild-brethren, and after this they appear to have been yearly approved of by the Head Court of the burgh, composed of all the burgesses, heritors, and craftsmen in the burgh."

new ferryboat was obtained in 1686 at a cost of £88 Sc., and frequent outlays were necessary as payments to the commissioners of the burgh in attending Parliament, the General Assembly, and the Convention of Burghs. The stents, cess and taxations of the burgh amounted to £357 Sc. in 1726, £126 Stg. in 1775, and £166 Stg. in 1784, but by 1819 they had risen to £482 Stg. The local Act of Parliament (1840) empowers the Head Court to impose annually a sum not exceeding £235 5s. 9d., to be applied along with the ordinary revenue of the burgh to meet the municipal expenses, the Extraordinary Head Court having the power to levy a further sum of £100 annually. The former sum has since 1840 been imposed annually, and the latter in occasional years, for example it was levied in 1870, and next thereafter in 1876.

1781.

May 8.—The Provost represented that this Head Court had been called "to take under consideration the state of the town and harbour in the present time of difficulty and danger when the nation was at warr with America, France, Spain and Holland, a situation never before experienced." The burghers especially feared the Dutch, who from their constant fishery and intercourse of trade were perfectly acquainted with every creek upon the coast. The Provost had applied to General Mackay, Commander-in-Chief of His Majesty's Forces in Scotland, and the Board of Ordnance had agreed, if the town would raise a battery and build the necessary storehouses, to furnish cannon and all stores, except powder, for the protection of the town and harbour, as well as of such shipping as might take shelter in the Bay of Banff or the Bay of Boyndie. A plan by Captain Marr, Engineer, was submitted to the Head Court. The Provost represented that the work must be done at once, and that the multiplicity of their public works had left the town considerably in debt. The Court agreed to borrow money for the work, and to repay it within four to six years.

"The Head Court, considering that by the enclosing of private property about the town the inhabitants are much hemmed in and confined for exercise and walking, resolve that that piece of ground between the battery and the brewerce, inclosed by Provost Dirom, be appropriate for the exercise and health of the inhabitants, and that walks be made round it and along the Braeheads."

1784.

November 13.—It was resolved by the Head Court that the public works of the town be executed by townsmen, that no money be paid out of the Burgh Funds in opposing the Bill intended to be brought into Parliament for reform in the Burghs, nor the action in the Court of Session,—the Trades against the Magistrates,—that Bridge Street be paved, as many respectable people reside in it, &c. The Magistrates replied that these resolutions should be considered, and such as they judged proper and necessary should be carried out.

1786.

Total Expenditure of the burgh, £2052 5s. 3d., consisting of the following Items: King's Cess, £471 13s.; Annual rent of the money mortified to the minister of Banff, £61 13s. 4d.; A year's annual rent of the money due the old Guild box, £21 15s.; Commissioner's charges attending the Convention, £126; Town Agent's salary and incidents, £63; Æque dues, £23 5s.; Missive dues, £103 2s. 11d.; Keeping the streets in repair, £120; Town Officer's Salary, £86; Deficients and bankrupts, £22; Town Drummer's Salary, &c., £24; Schoolhouses, £72; Lamps and materials for lighting, £240*; Keeping the clock in repair, £60; Shore-master's Salary, £72; Coal and candle for a guard, £36; A year's rent of the money laid out for building the battery, £240; Stent on those not otherwise paying cess, £120; Collector's Salary, £89 4s.

"As the town of Macduff carries on considerable foreign trade without paying any cess, the Court instruct the Commissioner from the burgh to the next General Convention to lay the matter before the said Convention.

"Steps are ordered to be taken to cause Lord Fife to take out an entry from the burgh upon lands and fishings within the liberties of the burgh.

* In 1768 "the Provost represented to the Head Court that it would greatly tend to the utility and good of the burgh, if the streets were lighted in winter by publick lamps as is done in other burghs, the expence whereof ought to be paid by an equal stent upon trade and heretage. The Head Court agree that a sum not exceeding £12 Stg. yearly shall be stented on heritors and inhabitants, and that that sum be managed as a fund for purchasing, putting up, lighting, and keeping in repair such a number of publick lamps as the Council shall think proper."

The town desire to cause him disclaim a charter which he had taken out from the Crown upon the lands, fishings, &c., lying within the liberties of the burgh, and holding feu and burgage of the burgh."

1788.

"The meal market is ordered to be rebuilt, as the present meal market is insufficient. Seats are to be erected for the sellers of meal, with rails before them, as in the meal market of Aberdeen."

1792.

December 15.—Mr. Reid moved that as Mr. Skene, late minister, is now deceased, it would be proper to apply for Mr. George Pirie to preach until the vacancy be supplied.

1793.

December 12.—Interest of money laid out in building meal houses, £64 18s. George Brown moved (1) that only ten of the old Council be retained upon the new Council; (2) that the deacons of the six Incorporations shall always be upon and form part of the Town Council, the Convener retaining as formerly two votes at the election of magistrates. These motions were carried by 65 who voted for them, over 3 who voted against them, excluding those who did not vote. The minority held that as the sett of the burgh had been unchanged for the term of prescription it was incompetent to change it. They relied on the setts of 1704 and 1709. A motion was carried by the aforesaid 65 that the Magistrates shall not expend public money without the authority of a Head Court. A motion was carried to apply to Government to have barracks built for the military stationed in the burgh.

1795.

December 19.—Plan laid before the Head Court of the new intended Court House, Prisons, &c., to be erected by the burgh—the site to be adjoining the Steeple, where the house lately occupied by Dr. Christie stands, and the ground behind the same, which is the property of the

community. The freeholders and proprietors of the County agreed to give £700 towards the expense of the building, and £100 additional if the work is well and handsomely finished.

1799.

Cost of lamps and materials for lighting, £480 Sc.

1800.

December 18.—A petition having been given in to the Magistrates by John Rhind, James Robertson, and John Nicol, masons, for an additional allowance for building the new Town House and Prisons on account of the duty imposed on freestone by Government, and the rise in the price of labour, the Court authorize the Magistrates to grant such relief as they may see proper.

December 18.—“The members of this Head Court, considering the very generous and liberal manner in which James Miln, at Mill of Boyndie, John Miln, at Mill of Alvah, Mr. Falder, at Blairshinnoch, and Mr. Souter, at Melross, supplied the town with meall, and that without being requested so to do, this Head Court, truly sensible of such, do return their warmest thanks to the above gentlemen, and appoint a copie of this part of their minutes to be intimated to them.”

1801.

December 12.—A Committee, consisting of the Convener, John Rhind, senior, mason, and three others, appointed to inspect the springs in the neighbourhood of the town, and to report on bringing them in to the town, and of building proper cisterns and wells, as the town sustains great hardship for want of water. A cistern is to be built on the Bridge Well, at the lower end of the town, on the side of the road leading to Macduff, by voluntary subscription.

1802.

The town subscribe £1000 towards making the turnpike roads, on condition that the road shall be begun at the Bridge of Banff, and carried for six miles in the direction of Huntly.

1804.

The Head Court authorize the Magistrates to subscribe £500 to the construction of a turnpike road from the Harbour of Banff southward to Huntly by Inverkeithing and Marnoch.

1805.

The town being greatly infested with vagrant beggars and poor people, the Court authorize the sum of £7 10s. to be expended in employing three police officers for keeping the town clear of such strolling beggars and vagrants.

November 23.—The Provost laid before the Court a proposal for supplying the town with water by introducing a large spring called Comb's Well, situated near Tippetty on Lord Fife's property.

The Provost is authorized to subscribe a sum not exceeding £300 Stg. towards making a direct communication to Keith by a turnpike road from Cott-town of Ordens to the place where it will join the Portsoy turnpike, near the Kirk of Ordiquhill.

1806.

December 18.—Captain James Reid stated to the Court that a large supply of water had been discovered, and may be procured to the town from above the Snappy Well and in the line of the turnpike road, and if the same were properly collected it would nearly supply the town, and the probable expense would not exceed £300 Stg.

1807.

The Court approve of the work already done for finding a supply of water, and recommend going on with laying pipes and making cisterns.

1808.

December 29.—Mr. Rainy, factor for the Earl of Findlater, objects to the Head Court or the Magistrates imposing any additional cess or stent

upon heritable property without the express consent of the proprietors, and particularly for the interest of money laid out in making turnpike roads.

1809.

December 29.—“The Provost mentioned to the Court that this place had heretofore been ill supplied with whitefish, owing to there being no proper fishermen, at least that the crew of the boat belonging to the burgh were become old and infirm, so that the inhabitants behoof to be supplied from Whitehills, McDuff, and other places, by which a great deal of money went to these different places, which ought to have circulated in the town; that lately the Magistrates had prevailed upon four fishermen from Buckie, being a boat's crew, to come and reside at this place. The Provost inquired what encouragement should be given to these four and to others who might come. The Court approve of what the Magistrates had done, and recommend that they get other two boats' crews of fishermen to settle at this place, and they agree that proper small houses be built for them on that waste ground in the Seatown formerly intended for a barracks, at the public expense.”

1810.

Interest of money laid out on Fishermen's houses, £180 Sc. Mr. Rainy again protests against the payment of such sums.

1811.

Interest of money laid out on Fishermen's houses, £300 Sc.

1812.

The Court resolve to buy meal for the poorer inhabitants. A Committee is appointed to procure subscriptions for the support of the necessitous poor, to prevent public begging. The Earl of Fife agrees to give 100 bolls meal at 20s. per boll, for which he receives the thanks of the Head Court.

1817.

December 13.—As the contract with the white fishers is on the eve of expiring, their houses (hitherto *gratis*) are now to pay fair rents.

The thanks of the Head Court voted to Mr. Robinson, senior, for his clear statement to that meeting of the affairs of the burgh during the 34 years he had been engaged in the active management of the burgh concerns. The Head Court recorded that the conduct of Mr. Robinson and the other Magistrates deserved the highest praise, especially in not applying the public funds to the private or personal purposes of the Magistracy. Mr. Robinson had incurred expenditure on distinguished strangers visiting the burgh, and the community had “not been charged with the expense of entertainments, or any other personal expense of the Magistrates whatever, which was probably a rare instance in any other burgh in the kingdom.” Mr. Robinson suggests an annual assessment of £100 Stg. to establish a sinking fund to extinguish the debt of the burgh. The proposal to be considered at next Head Court.

Head Court Accounts now begin to be kept in sterling money. Paid for lamps and materials for lighting the streets for the year, £60 Stg. The Water Committee report that there is no spring near the town that could furnish a proper supply of water.*

* The following is the chief part of the Statement above referred to :—

“Upon retiring from the office of Chief Magistrate, I feel myself called upon, for a variety of reasons of a public and private nature, to address you relative to the concerns of this town, in which I have been called to take an active management for 33 years past.

“Previous to the year 1784, I had no concern whatever with the magistracy ; but in consequence of the sudden death of Provost Duff, who had for many years taken a lead in the affairs of the burgh, I was solicited, by a majority of the Council, to join them, and to accept of the situation of Chief Magistrate, to which I felt the greatest possible repugnance, as it did not accord with my habits at the time, or the pursuits of business in which I was then deeply engaged ; but these solicitations being renewed with much earnestness, and seconded by a great proportion of the inhabitants, I yielded to their wishes, and accepted the office of Provost at Michaelmas, 1784, trusting to the kind support of those friends who brought me into office, and the indulgence of the inhabitants, when I might be found wanting in abilities to the discharge of the duties of that important situation.

“Upon my coming into office, the revenue of the town, arising from the rents of land, harbour dues, petty customs, and feu-duties, was £239 8 6
and the debts of the burgh (1786), per state made up by Mr. Reid, amounted to 1593 0 0
The first business of a public nature to which the attention of the magistrates was called was to obtain the establishment of a Custom House, as the trade laboured under great disadvantages,

M M

from being obliged to send to Aberdeen, to clear out the smallest description of vessels; and, as there was then only three posts in the week, it generally happened that they were obliged to run expresses, rather than submit to the delay of corresponding by the post.

"After obtaining petitions and resolutions from all public bodies within the district, I went to Edinburgh in July, 1785, to attend the Convention of Royal Burghs, and in order to get their support to our application, in which I succeeded; and the following year I went to London for the express purpose of presenting the various petitions to the Lords of the Treasury, who agreed in consequence to sanction the establishment; but unfortunately a competition arose about the appointment of officers, and the candidates being patronised by the different noble families in the county, they got so keenly interested for their proteges, that the Ministry chose rather to suspend the establishment than to run the risk of differing with some of these personages about the appointments, and it was not till some years after that, by the able assistance of the late worthy member for this county, Sir William Grant, a branch was obtained; and from the attention paid to the interests of trade, by the gentleman at the head of that department, and the facilities afforded on all occasions where public duty will permit, the want of the complete establishment is as little felt as it possibly could be.

"The first work of a public nature to which our attention was called was the extension of the east quay of the harbour, upon which, and some other improvements unconnected with it, there was expended £976 8s. 4d. The next public work undertaken was the church, on which there was expended originally £1961 18 7
but the magistrates sold off certain seats, which produced 676 3 9½

leaving £1285 14 9½

as the price of the town's proportion of it.

"The next public work was rebuilding the meal houses in the Market Place, which cost the town £126 6s. 1½d.

"The next great undertaking was building the jails and the house in which we are now assembled, upon which there was expended, after deducting the proportion paid by the county, £2869 13s. 2½d.

"It is proper here to observe that the late George Smith, of Bombay, who endowed the Academy at Fordyce, left £1000 to be applied towards the building of an hospital. This sum being altogether inadequate even to build a house, and for which there was no endowment whatever, it appeared to my late worthy friend, Provost McKilligan, and myself, that we could not fulfil the intention of the testator better, or render this bequest more useful to this community, than by enlarging the scale of the building, and setting apart a proportion of it to be used as an hospital whenever it should be required for that purpose. In that way it has been rendered useful to military when quartered here; and for several years it has been employed most beneficially as an hospital of sustenance and health to the lower orders, from whence they have received a supply of good wholesome broth and bread three times a week.

"The next operation of a public nature was in 1802, making the road on the bridge, and from thence to the town, which cost £71 18s. 9d. This was done before the turnpike roads were executed, upon which the town, between the years 1804 and 1808, expended £1553 10s. 8d.

"It may be proper here to remark that although the sum actually expended on these roads is £1553 10s. 8d., the sums voted by the Head Courts, by their resolutions of 11th December, 1802, 1st November, 1804, and 23rd November, 1805, was £1800.

"The next undertaking, and which was pressed upon the magistrates by nine different resolutions of this Court, beginning 12th December, 1801, was bringing water into the town, and distributing it through all the public streets, which cost first and last £1577 1s. 2½d.

"In 1805 it became necessary, from the increase of scholars at the Academy, and the extended plan of education, to heighten the Grammar School, which was done at an expense of £172 8s. 11½d.

"In 1807 the whole coast of the Moray Firth was visited by the most extraordinary high tides that had ever been remembered, and produced the most extraordinary changes—amongst others, the bar at the outlet of the river was entirely carried away, so that all the Low Shore was washed by the waves of the sea, and a considerable breach was made in the road leading to the harbour, which was repaired at an expense of £108 1 11
besides what was expended on the bulwark at the water mouth in 1789 ... 31 9 7

"The last work of a public nature was providing houses for the accommodation of white fishers and pilots. The number of these in this town had been reduced to four very aged men, and it became necessary, both with a view to pilots for the preservation of the shipping of the port, as well as to prosecute the cod and herring fishing on the coast, to induce fishermen from other stations to settle here; and, after much trouble, several hardy crews were got by the inducements of furnishing them with boats and free houses for the first seven years, which cost the town £690. And I am now happy to think that the advantages likely to be derived by the community from this measure will far exceed my most sanguine expectations.

"In the view which the inhabitants had at one time of removing the public markets to a more central part of the town, there was purchased that ruinous tenement formerly occupied by Mrs. Stewart, and the adjoining one which belonged to the Operative Masons. This idea having been abandoned, the first has been sold for something less than what it cost, and the last still remains the property of the town, and cost them £420.

"In this statement of expenditure I have taken no notice of a variety of lesser sums that have been laid out for public purposes, such as repairing and new paving a number of the streets, repairs on the Shambles, loss on meal occasionally purchased for the inhabitants, repairs on the Manse, subscriptions to different bridges in the West Country, with various omissions stated in the report by Mr. Jno. Smith and Mr. L. Robertson; and some expense attending the applications to prevent the Mail Coach from Edinburgh to Inverness being carried by Huntly instead of this town, in which we succeeded after a long and very arduous struggle, and a great deal of personal expense.

"It thus appears that there has been expended on all the different works, which I have enumerated, the sum of £9882 13 6½
besides the amount of the various items before mentioned 800 0 0

£10,682 13 6½

which, as you may suppose from the state of the Burgh finances when I came into office, was raised by borrowing the necessary sums under the authority of the resolutions of the different Head Courts, which sanctioned these works; and the interest of the money so borrowed was paid by an assessment on the inhabitants, which, in general, has been no more than sufficient to pay the interest, without any provision for the liquidation of the debts contracted, as it was expected that there might be something to spare from the town's permanent revenue arising from lands, feu-duties, petty customs, and harbour dues, to be applied towards the liquidation of the debt.

"About the year 1805, the Magistrates having learned that the Parliamentary Commissioners for Highland Roads and Bridges, &c., were giving aids towards the improvement of harbours in Scotland, they considered it their duty to endeavour to obtain a grant to the town of Banff; and, with the kind assistance of William Smith, Esq., M.P. for Norwich, they succeeded in obtaining an assignment from the Commissioners of £7000 due to them by the city of Edinburgh upon condition that the town should advance an equal sum to be laid out on the harbour, agreeable to

a plan which had been laid down by Mr. Telford. With a view to the right execution of this important work, it appeared to the magistrates to be desirable to bring into action the united and hearty co-operation of the inhabitants; and, therefore, they proposed to set apart the harbour revenue towards the proposed improvement, and to call to their assistance a great proportion of the principal inhabitants to aid them in the execution of this great work.

"When the harbour revenue was thus separated from the town treasury, there was an assessment laid on of no more than £50, which has occasioned the general revenue of the burgh to fall short of its expenditure for four years past, and thereby a small addition has been made to the debt.

"The magistrates were sensible that there was a shortcoming in the first year after the separation of the harbour revenue, but they deferred proposing an additional assessment for several reasons, which were detailed in a letter which I wrote to the Convener of the Trades in February, 1816. And these were that certain lands and houses of the town's were nearly out of lease, upon which a rise of rent was expected on the new setting. Also, some additional rent on the church seats; and they wished to see the harbour scheme fully determined upon, about which at that time some doubts were entertained from the difficulty that the town might experience in raising the whole sum of £14,000 upon loan.

"The additional rents upon these lands and houses are now ascertained, and, happily, every doubt regarding the payment of the grant from the Parliamentary Commissioners is now removed; and I believe you are all informed by official information from Mr. Hope that the whole £7000 is to be paid to us, and I trust many weeks will not elapse till we are advised of its being lodged in the Bank of Scotland for the intended purpose; and, by the correspondence which I shall now read to you, you may be satisfied that there will be no impediment to the work being undertaken next spring.

"While noticing this subject, it may be proper to inform you that, in consequence of a positive requisition from the Parliamentary Commissioners, the town's proportion—say £6973 10s.—was lodged in the Bank of Scotland in the end of December last year. Of this sum, £6108 15s. 2d. has been borrowed from different persons on the joint credit of the town and the harbour revenue, and the balance, being £1565 1s. 5d., is made up from the savings of the harbour revenue, after deducting all expenses of various operations on the harbour, such as deepening, cleaning, repairs, purchase of a crane, &c.; but of this sum £240 was got by the sale of the house in the High Street, mortified for the harbour; and I have further the satisfaction to inform you that the shore dues were lately set for £311.

"In order to ascertain what sum, if any, might be necessary to supply the deficit in the revenue of the burgh occasioned by the separation of the harbour dues, I directed the Chamberlain to make up a statement of the receipt and expenditure for four years past, and the result is, that on an average the revenue has been deficient £87 6s. 10d. yearly. By the additional rent got for the town's lands, the interest of the money saved by the sale of Mrs. Stewart's houses, and a rent lately got for the Battery, an expected rent for the fishermen's houses, a small dividend from the turnpike roads, &c., I flatter myself that we shall be able, barring any unexpected demands, to meet the expenditure of the coming year without requiring any additional assessment on this head, at least, I am so desirous to avoid it that I would propose for one year to make the experiment, trusting as I do, that, if it shall be found in any respect deficient, with all the economy that can be observed, the inhabitants will cheerfully submit to afford what may be necessary, which, in the worst view, must be a mere trifle.

"The debts now due by the burgh altogether unconnected with the harbour funds, agreeable to a list certified by the Chamberlain, amount to £8954 4s. 0½d., and the revenues of lands,

feu-duties, &c., is £393 os. 10½d., independent of the cess, and it appears to me not only proper, but absolutely necessary to the credit and safety of the community, that means should be taken to liquidate this debt gradually; and the plan that I would humbly recommend to attain this object is the following. . . .

[Provost Robinson valued the town's property (exclusive of the lamps, public wells, and lead pipes, and also exclusive of grants to the harbour amounting to £7000 from the Parliamentary Commissioners) at £16,362.]

"I hope I shall be excused for next bringing into your view what proportion the debts contracted since I have been connected with the Magistracy bear to the sums expended on the town's works, and all sanctioned by your authority.

The cost of these amounts to	...	...	...	...	£10,682	13	6½
From which deduct Mr. Smith's bequest	...	...	...	...	1000	0	0
And the subscriptions to the Poors' School	...	...	...	...	400	0	0
							£9282 13 6½
Present debt of the town	...	...	...	£8954	4	0½	
From which deduct the town's debt in 1786	...	...	...	1593	0	0	7361 4 0½
							£1921 9 6

thus leaving a surplus of £1921 9s. 6d., ensuing from the most economical management, and the magistrates incurring no expense on the public funds for convivial entertainments, sending delegates to the Convention of Royal Burghs or General Assembly, or attending the election of a member of Parliament at any of the sister burghs, and that the town has not been engaged in any law-suits for 33 years past, except one unimportant question, and in which they were allowed the greater part of the expenses. In short, it will be found that, with the exception of £40 which was presented by the Harbour Committee to the present Provost, upon going to London to obtain the harbour grant, that neither I nor any member of my family ever permitted any charge to be made against this community for any expenses incurred in their service, although the practice of this burgh, as well as all the burghs in Scotland, authorise such charges to be made, at the discretion of the Magistrates and Council. I saw upon coming into office that the town had so much to do, and its resources were so limited, that I felt I could not with any propriety sanction its being loaded with any expenses that were not to promote some object of public utility.

"To these Trustees who are to superintend the reduction of the public debt, I would beg leave to recommend most particularly another duty, namely, the examination of the public accounts, which shall be laid before them as soon as possible after Michaelmas, so that they may have at least one full month for their examination previous to the Head Court, where they shall be exhibited, accompanied with their report, as to their accuracy.

"The only persons, hitherto, who have taken the trouble to look at these accounts, although they have always been open to general inspection, are the Deacons of the Trades, who have sometimes subscribed them, and sometimes not; and I understand the objections made to them this year regard the salaries given to the different teachers, and the giving a few burgess tickets gratis.

"To the first, I confess that I am astonished that any objection should have been made, for I am convinced that the merits of the persons who have been long at the head of the Academy are so generally acknowledged that the majority of the respectable part of this community would think double the salaries but a very moderate compensation for the high repute to which this Academy has risen by their talents and unremitted assiduity, and it is by the aid of these public

1818.

The Committee on the town's accounts suggest that as the seats in the church bring to the town a revenue of £55, some payment should be made in order to dress and put in order the ground around the church, which is overgrown with weeds and very unseemly, also a small annual sum should be given to a proper person to keep the same clean, neat and

salaries, which are chiefly paid by the heritors, that the humblest tradesman in this place can, at the expense of very moderate school fees, get as good education to his child as can be had by the son of the first heritor in the parish; and, but for these salaries, the sons of those in moderate circumstances would either receive no education at all, or be obliged to solicit a licence from the magistrates for free education, either at the Grammar School, or from the Managers of the school founded by the late Mr. Pirie. On this subject I may state a fact that the salaries paid here for four teachers at the Grammar School and one for young ladies is £34 8s. less than is paid at Elgin for only three teachers at the Grammar School and one for young ladies. However willing I shall be at all times, as I have ever been, to listen to any suggestion that tends to promote retrenchment and economy, I must own I should be most unwilling to accede to any diminution of the school salaries; for to that system which prevails in Scotland, and by which even the most indigent may receive the benefit of a classical education, is to be ascribed the pre-eminent success of our countrymen in all parts of the world; and it is by this means that the son of the humblest Scotchman, if he is blessed with talents, may fill the most exalted stations in the British Empire.

"With regard to the power of the magistrates of bestowing a few burgess tickets, I never before heard that their right to do so was liable to be questioned.

"The magistrates of Banff have indeed been very sparing of these honours; and were it proper on the present occasion to name the gentlemen who have received the freedom, I am sure the magistrates would receive thanks for having conferred it on gentlemen whose merits and acknowledged worth so well entitle them to that mark of public respect, and if this town is to estimate these favours by the return of £ s. d., I could show that the poor of this community have been and will be benefited to the extent of £350 by some of those highly respectable and amiable persons on whom the freedom has been conferred in the course of the last five years.

"I have thus endeavoured to exhibit to you, as correctly and as fully as the limits of such an occasion will permit, the real state of the affairs of the burgh, and the different undertakings in which we have been engaged since I came into office, in the progress of which, as well as in the discharge of the various municipal and judicial functions connected with office, I owe much obligation and gratitude to those friends who have long and ably assisted me, and I now retire from office with the pleasing reflection that I have been instrumental in obtaining for this town the means of executing that most important undertaking, the Harbour, and if these means are judiciously applied, I am confident that it will be the foundation of its future prosperity and perhaps grandeur, and it contributes in no small degree to my happiness on the present occasion to think that an almost immediate consequence of the proposed expenditure of so large a sum will be to give good employment to our industrious tradesmen, and diffuse amongst all classes of the community, more or less, the means of comfort."

in good order, and to debar boys from injuring the ground and shrubs. The Committee are of opinion something may be deducted for these purposes from the salary allowed by the town to the precentor in the church.

1819.

A Committee appointed for auditing the Town's Accounts reported that in 1789 the sum of £1000 was left by George Smith of Bombay to the Magistrates, "to be by them applied towards endowing an hospital or infirmary in any convenient place they shall be able to obtain either near Banff or Fordyce," which sum being totally inadequate of itself to build or endow such establishment, it was applied towards erecting the Town House, with a view, it is believed, that some part of that building might be made useful for some similar purpose. Part of the building has been appropriated as accommodation for a public kitchen, occasionally as a Bridewell or other useful purposes, but certainly not coming within the meaning of the Testator's intentions so as to exonerate the Magistrates for such application of the funds so committed to them. The Committee suggested that a sum of £1000 be constituted as a debt on the public to that trust, and the interest of the same allowed to accumulate and to be added to the stock until it shall form a sum sufficient for the purpose.*

The Committee also reported that the sum of £400 had been raised in 1787 to endow a Charity School, the interest thereof to pay a teacher

* Provost Robinson, under date 26th December, 1820, wrote to the Committee; "With regard to the £1000 of Hospital money the state of the revenue of the burgh this year did not admit of a year's interest of that sum being paid, but as soon as there is a sufficient surplus revenue for the purpose the Magistrates will most willingly so apply it, and it is therefore for the inhabitants to determine at the Head Court whether the payment of the interest is to be deferred till it can be done out of the surplus revenue, or whether an immediate special assessment should be made for it." Cf. also Provost Robinson's Address, 13th December, 1817 (*antea*), H. C., 1830, and T. C., 1840.

The Report by the Commissioners on Municipal Corporations in Scotland (1835) contains the following: "In giving the details necessary to the property of the burgh it was mentioned that £1000, which had been left by the late George Smith of Bombay, for the purpose of building an hospital, had been applied towards defraying the expense of building the town house and gaol. This mode of application was thus explained. As the sum left by Mr. Smith (it was said) was altogether inadequate to build and endow an hospital, the magistrates and council thought it advisable to enlarge the scale of the town house, and to appropriate certain apartments in it for the accommodation of the poor. In years of scarcity, a great portion of the poorer classes was supplied from a soup kitchen established there. The accomplishment of these objects was deemed to be tantamount to building an hospital; although the letter of the donor's settlement has not been fulfilled, his intention has in substance been carried into operation; and while the proceeding is not an example to be followed, it can hardly be censured. No complaint on the subject was made to the Commissioner."

for instructing the poor children of the town and parish whose parents were not in a situation to bestow any education upon them. Of that sum the heritors contributed £100, by consent of the heritors £200 was taken from the Kirk Session funds, and the remaining £100 was raised by voluntary subscription, chiefly from the inhabitants. The money was invested with the Magistrates and Town Council, they paying £20 yearly for the above purpose. This establishment has been for a number of years incorporated with the Academy. The Committee recommend that it be re-established to its original purpose, and are glad steps are being taken for this purpose. The entry "To teacher of the Charity School £20" should appear yearly in the Chamberlain's Accounts. The Committee recommend that the payment for precentor's salary—£8—be reduced to £6, the balance thereof being applied for keeping the ground round the church in good order.

It being the wish of a considerable number of the inhabitants, the Committee suggested to the Magistrates to order the town drummer to go the rounds at the usual hour in the morning for the convenience of tradesmen having to rise to their daily labour.

The town's average annual income, £945 8s. 6d. Average expenditure, £876 7s. Surplus, £69 1s. 6d. The town's debt (1820), £9222. Interest on debt at 5 per cent, £461. Total cess leviable (including £40 new cess for water), £491.

1820.

The Committee remark with satisfaction the settlement, so far as effected, with the executors of the late George Smith of Bombay.

As to the bequest by Mr. James Wilson of Grenada, the funds realized in Britain in the hands of Messrs. Nisbet & Stewart in London amounted to £7,599. That house became bankrupt, and paid a dividend of 10s. in the £. The amount thus obtained was invested in April, 1803, in British 3 per cent. funds, forming £5629 Stock.

1821.

December 31.—Protest taken at the Head Court by James Johnston, Convener of the Incorporated Trades, against Provost George Robinson and the bailies and the members of Town Council. He charges them as

follows: "For many years back you have conducted the affairs of this burgh on a scale of wasteful extravagance, useless and unnecessary expenditure, and often with negligence in open contempt of the public opinion, and not unfrequently without their knowledge." The Protest then enters at length into the question of the salmon fishings, and concludes as follows: "I protest that you George Robinson and George Robinson & Co. be held responsible for the yearly rent of £800 Stg. for each year you have held or will hold the said salmon fishings."

1822.

August 16.—A Head Court called to draw up an address of welcome to the King on his visit to Scotland.

December 31.—Mr. William Robinson called the attention of the Head Court to the Bridge of Banff, which was in the line of the great post road from the Metropolis to the northern extremity of Great Britain. Before 1763 there was no bridge over the Doveron at Banff, and crossing was effected only by fording or by a ferryboat, methods both very inconvenient and tedious, and also dangerous in time of river floods and runs of ice after a thaw, besides that the sea flows and ebbs to the place of crossing, and for nearly a mile above it. Many lives had been lost in attempting the passage, indeed not a single year passed without some unfortunate occurrence, either to persons or to property, at this ferry. These circumstances, with the great inconvenience to the public, and the frequent stoppage of the mails, induced Parliament to vote a sum to build a bridge, which was founded in June, 1765. The bridge was completed at a cost of from £5000 to £6000, and was in use for about three years when it was carried away in September, 1768, during a great flood, by reason of one of the pillars on the west side having been undermined. The public then felt more than ever the inconvenience arising from the want of a bridge. Another grant was obtained from Parliament, and the present bridge was finished in 1779, having cost £8,000 to £10,000, and forms a structure not less ornamental than useful. Mr. Robinson stated that, like blessings we uninterruptedly possess, its value was not duly appreciated. "It was," he added, "the only public structure in the country for the support of which there was no fund, and for the care of which no one was responsible." The bridge having been built by Govern-

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ment has always been free. In 1821 it received a complete repair at the expense of Earl Fife. The Head Court approve that the bridge be placed under joint Trustees.

1824.

The property at the harbour formerly belonging to Alexander Wright, fishcurer, and consisting of a dwelling house, vaults, &c., is purchased as a warehouse by the town for £1050.

1825.

The Head Court approve of a reduction of the Shore dues : Lime to be 1s. 6d. per 100 barrels of shells, and 8d. per 100 barrels of slacked lime ; butter, &c., 2d. per barrel bulk ; meal, $\frac{1}{2}$ d. per boll, &c.

1827.

December 29.—The Head Court unanimously resolve to express sympathy with the family of George Robinson, Esq., provost, lately deceased, with the assurance of the Court that during the long period the deceased was connected with the burgh his earnest wishes were for its prosperity, and his utmost exertions and abilities were devoted to forward its interests.

1828.

March 29.—The Head Court resolve to petition parliament anent the great increase of late years in the number of excise prisoners, and the hardship entailed on the burgh in maintaining them, and on the burgesses in keeping guard in person to prevent their escape from jail.

December 31.—The watering place at the Gellymill burn is found to be inconvenient, and in terms of the feu-contract of date 21st April, 1764, between James, Earl Fife, and the town, an improvement requires to be made thereat.

1829.

August 6.—The Head Court resolve to remove the Shambles.*

* In 1741 the Head Court, finding "there is not presently any place fixed for a Shambles," recommended that "a Shambles be built at the east end of the scholars' butts, adjoining the Bulwark," and, in the following year, the burghers were forbidden to slaughter animals except there, under a penalty of 20s. Sc. Cf. T. C., 1778.

1830.

The objectors to a new market being built near the Cross urge that the turnpike road gives easy access to the present market, and, as to the present market being subject to be flooded and only accessible by boats, they reply, that this had occurred only once in thirty years. They represent, moreover, that the debt of the burgh last Michaelmas was £11,469, that there was due on the Harbour £7588, and that there was £1000 due by the town for Smith's Hospital, with at least 34 years' interest thereon, therefore equal to £2700, amounting in all to £21,757. The objectors add: "if the trade and commerce of the place and the general desertion of it by all ranks continue to dwindle in the same ratio as they have done for some time past, the assessments necessary would soon lead to its total abandonment and annihilation. Not to go farther back than ten years, within that short period there have been upwards of 70 bankruptcies within the burgh, nor does the evil seem to be at an end, while the number of tickets on houses and shops intimating that they are to be sold or let too fatally demonstrate a rapidly decreasing capital and population, so that very shortly few persons will remain to pay the heavy assessments now and formerly imposed on the town."

June 29.—The Head Court resolve to remove the Markets to the stance proposed by the Magistrates, near the Cross, on condition the Shambles be removed at the same time.

December 30.—The Head Court recommend to make effectual the town's right to the Gellyburn water.

1831.

March 10.—The Head Court grant £100 annually to the Gas Company to light the public streets by gas, provided the present number of lamps be kept up, viz., 83.

1835.

February 25.—The existing debts of the burgh are £14,096. The heritable and moveable property of the burgh, inclusive of the Public Buildings, is valued at £18,732. Of this debt £5449 consists of

Charitable Funds and Corporation money at 4 to 5 per cent. The Head Court resolve to borrow £9000 at $3\frac{1}{2}$ per cent., in order to pay off 50 creditors dispersed over the country, thus reducing the creditors to ten in number, whose rate of interest shall be generally 4 per cent. This transaction will effect a saving of £62 per annum to the burgh. The debt in 1819 was £9226, in 1835 £14,096; increase, £4870.*

Expended by sanction of the Head Court on the new Market Place and Shambles, £1440.

Valuation of lands and property belonging to the burgh :—

(A) Lands and feu-duties - -	£5556
(B) Buildings and houses - -	6111
(C) Turnpike roads - - -	825
(D) Salmon fishings - - -	4400

£16,892

- (A). (1) *The Bar*. This yields little or no pasture, and on it the tacksmen of the Earl of Fife's fishings is said to have the liberty of drying his nets.
- (2) *Duff's Hillock yard*, on which are several temporary buildings. The Earl of Fife claims fully one-half of it.
- (3) *Joppie's Brae*, from the Castle grounds to the bridge at the Brewery. Very rocky, but between the Brae and the Shore road coal howffs, sheds, &c., might be erected.
- (4) *Carpenter's Green, &c.*, between the Old Bathing House and the Green. Might be woodyards.
- (5) *Battery*, now under lease of 19 years to Government for the Preventive Service, at a rent of £20.
- (6) *St. Catherine's Green*, rocky, but might be feued.
- (7) *Painted Effie*, now occupied by Jean Milne, and used as a bleaching green and laundry, &c.
- (8) *Garden Milne's Park*, very thin land, now under a long lease at a high rent.
- (9) *Clayholes*—this park lately improved at a cost of £65. Of inferior value as a pasturage, as so near the Public Shambles.
- (10) *Newlands Park*, viz., Tollbar park, John Milne's park, the Newlands, and the Long Park above the Clayholes.

* Cf. T. C., 1835.

- (11) *Little Tumblers.* The braes from Coldhome Park to the Little Tumblers and the Toll-bar, and to stream-tide mark, contain some good pasture.
 - (12) *Links of Boyndie,* from the Little Tumblers to the Burn of Boyndie, and to stream-tide mark.
 - (13) *Lemmon's Park,* Gallowhill; scarcely any soil, only broken clay-slate.
- (B).
- (1) *Church Seats,* £1394 8s. Two bells in the steeple of the church, £25. Chairs, bibles, and psalm books, £6 9s. = £1425 17s.
 - (2) *Town House and Jail.* These cost the burgh £2869, but no direct benefit therefrom to the community, and value not reckoned.
 - (3) *Steeple at the Plainstones.* As it stands, £750. If taken down and sold, perhaps not above £150, large bell in the steeple £40, clock £15 = £205.
 - (4) *Furniture:* 7 arm and 18 single chairs in the Council Chamber, £28 10s.; Large press, oak table, &c., £28 15s.; two chandeliers, &c., £35 15s.
 - (5) *House at the Plainstones.* Rert £30, valued at £400. Weights, measures, &c., £136. Schoolhouse £300, and bell £5. Old meal-houses, weigh-house and coal-houffs, worth £9 rent, valued at £150.
 - (6) *Old Market Place,* about 140 ft. long, £140.
 - (7) *Weights* in weigh-house, meal-house, &c., £14.
 - (8) *Old public warehouse,* £140.
 - (9) *A Wright's premises;* rent should be £66, valued at £1100.
 - (10) *Fishermen's houses.* The houses west of St. Catherine's Green should rent at £9 to £10, valued at £160.
 - (11) *St. Catherine's Green;* rent £1 at 20 years = £20.
 - (12) *Old Hospital,* £10.
 - (13) *Three fishermen's houses,* near the Battery Green, and fronting Coldhome Park, £170 ["in a most wretched state of repair"].
 - (14) *Battery and houses,* £250.
 - (15) *Houses at Painted Effie,* £60.
 - (16) *New Shambles* at Clayholes, £211.

- (17) *New Market Place* has cost about £1541, and, the revenue of the burgh having increased £80 in consequence, that is equal to £1400.
- (C). The town subscribed towards making the road to Portsoy, £1000; do. to Marnoch and branch to Turriff, £650; total £1650. The value of the town's interest in them is about one-half the sum subscribed.
- (D). *Salmon Fishings*. The right of the town of Banff to the Salmon fishings in the sea from Fauchie rock to the burn of Boyndie, a distance of $1\frac{1}{2}$ mile, as presently occupied by the tenants, may be considered as settled. What more may be obtained in the action now depending betwixt the town and the river proprietor is uncertain. Rent, £220 at 20 years = £4400.

1840.

Head Court held in terms of "An Act for regulating the municipal government and expense of the Royal Burgh of Banff, for establishing an effective Police, and for maintaining, improving, and regulating the harbour of said Royal Burgh." From the Minutes it appears that the interest of the burgh debts was as follows: £35 14s. 10d. as interest at 5 per cent. on £714 18s.; £194 4s. as interest at 4 per cent. on £4855 15s. 8d.; and £331 10s. 5d. as interest at $3\frac{1}{2}$ per cent. on £9472 2s. Total interest, £561 9s. 3d.

Other expenditure included: minister's stipend, £8 8s.; allowance for manse, £2 8s.; interest of money mortified to the minister, £5 2s. 9d.; land tax, £39; burgh maills, £1 18s. 9d.; annuity to King's College, £1 1s. 1d.; feu-duty of Wilson's Institution, £20. The total estimated expenditure is £993 19s. 3d., and total estimated revenue £691 11s. 4d. Taking savings and additions into account, the deficiency is £192 6s. 8d. The cess on heritage is £235 5s. 9d., giving a possible surplus of £42 19s. 1d.

1846.

Inquiry ordered to be made if the town is bound to give £5 yearly to uphold the Bridge.

1850.

It is proposed that steps be taken to redintegrate and revive the burgh as formerly, and, after an explanation from the Preses as to the steps which the Managers had already taken to carry the desired for object into effect, it was resolved on a counter motion that it is inexpedient at present to resort to any measure either by a Royal Warrant or Act of Parliament for resuscitating the burgh, and request the Managers to continue their exertions in getting the Lord Advocate to adopt and bring in the bill he last year proposed, and wherein he agreed to introduce a clause to remedy the evil under which this burgh at present labours. This resolution was unanimously adopted.

1850-1.

Annual payment by the town to the Bede house, £1 3s. 6d.* Rent of seats in the church belonging to the town, £23.

1851.

May 31.—Head Court held by William Hossack, Henry Balfour, Garden Grant, and William Robert Gordon, Managers, appointed by the Court of Session to administer the affairs of the said burgh. The Managers submitted the Note laid before the Council, and upon which

* Dr. Strachan, physician, Banff, mortified an Hospital or Bede House for two or more honest decayed persons who are poor and unable to hire houses themselves. (Cf. T. C., 1762.) The ground on which the Hospital or Bede House stands, and on which an hospital of old had been erected, belonged originally to George, Lord Banff. Before 1st July, 1733, his Lordship feued out that tenement and ground to Alexander Dirom, writer. It extended from the Salt Lochs or Butts to the street leading from the Cross to the Grammar School at the north, and bounded by James Booth's tenement on the west, and the tenement and house belonging to Patrick Murray, shoemaker, on the east. Mr. Dirom gave off part of this ground to the Society of Masons of St. Andrew's Lodge. By contract of feu, 5th Oct., 1755, between Mr. Dirom and Dr. Alex. Strachan, he sold to Dr. Strachan that part lying at the north of the Mason Lodge, then lately built for £26 13s. 4d. Sc., payable to Alex. Dirom. Dr. Strachan afterwards built a small house on the property at his own expense for lodging four poor people, and granted a deed of mortification in favour of the Magistrates and Kirk Session, and gave about £40 or £45 Stg. to uphold it and pay feu-duty. The town disposed of part of the tenement to Wm. Bower, chaise driver, for which he paid 16s. 4d. feu-duty; thereafter they feued a part to Alex. Mackay, watchmaker, for 6s. 7d. Feu-duty to Mr. Dirom £2 4s. 5d., less £1 2s. 11d. (16s. 4d. from Bower and 6s. 7d. from McKay), balance £1 1s. 6d. Interest on £45 = £2 5s., less £1 1s. 6d., i.e., £1 3s. 6d. to keep the Bede House in repair.

these Opinions were given regarding the present state of the affairs of the burgh : (1) Opinion by John Marshall, Esq. ; (2) Opinion by the late Lord Advocate, now Lord Rutherford, and also the minutes of the Managers on the subject. The Court resolved to act on Lord Rutherford's opinion, and accordingly that an election of Council and Magistrates, to be presided at by the Managers, be proceeded with in November next, and that the Managers be requested to convene a meeting of the electors of the burgh on the last Saturday of June to obtain their concurrence.

October 1.—Ordinary Head Court.

October 31.—Extraordinary Head Court—68 persons present.

1852.

Expenditure : Salaries of Rector, £110 ; Town Clerk, £11 5s. 2d. ; and Collector of Rents, £17.

1855.

Interest of debts, £555. Rector's salary, £75 ; Salary of teacher of English, £35.

1857.

Ordinary and Extraordinary Head Courts held on the same day—November 2nd.

1858.

The constituted debts affecting the burgh amount to £15,096, and unadjusted claims, £309 ; total, £15,405. Value of the whole property of the burgh at from 20 to 30 years' purchase, £24,359. Surplus in favour of the burgh, £8954. Church rents in 1834, £86 8s. (valued at £1394 8s.) ; Church rents in 1858-9, £20 13s. 9d. (valued at £500). Two bells were valued in 1834 at £25, and chairs, bibles, and psalm books at £6 9s. In 1859 the town house and jail were valued at £100, the steeple at £150, the bell and clock at £40 each. The school house in 1834 was valued at £300, and in 1859 at £200. The old meal houses, coal howff, &c., £150 in 1834, and £200 in 1859. The old warehouse valued in 1859 at £100, and the houses and vaults at the Shore at £920.

The hospital was valued at £60 in 1834, and has since been sold. The Gallowhill rent in 1858-9 was £9. The salmon fishings rented at £220 in 1834 (valued at £4400), and including houses at £230 in 1859 (valued at £4400).

1863.

October 24.—An Extraordinary Head Court recommended to the Council to give the freedom of the burgh to Lord Macduff in gratitude to the Earl of Fife for giving up his houses adjoining the Churchyard for its improvement.

1864.

Interest of debts, £550. In 1865, £540 10s.; 1872, £426; 1878, £400; 1880, £426; 1883, £412; 1886, £416; 1890, £467.

1886.

Probable Expenditure: Interest of debts, £416; repairs on property, £40; insurance, £4 8s.; poor's assessment and school rate, £13; police and other assessments, £14; missive dues to Convention, £10; land tax, £39; minister's stipend and manse allowance, £9 5s. 2d.; burgh maills, £1 18s. 9d.; feu-duty of town house, &c., £6 11s. 1d.; proportion of expenses of Bede house, £1 3s. 6d.; annuity to Aberdeen University, £1 os. 5d.; sundry small assessments and feu-duties, £6; printing and advertising, £10; heritors' and town's bursaries, £28 6s. 8d.; Salaries of town clerk £11 5s. 2d., town officer £7, keeper of council chamber £2, billet master and inspector of property £5, keeper of clock £3 3s., collector of rents, £25; annual payment to School Board, £110; and miscellaneous, £14. Total, £778 1s. 9d.*

* The expenditure for the year 1736 may be compared with the above: "Cess imposed for paying a year's King's Cess, £218 18s. Sc.; a year's interest to the minister of Banff, £61 13s. 4d. Sc.; a year's @rent of money due to the gild box of ane old debt [borrowed to repair the tolbooth] being for the principall sum of £435 Sc.—£21 15s. Sc.; item for officers', drummer's and common servant's salaries, £86 10s. 8d. Sc.; item for a year's Aque's due by the town to the Exchequer, £26 13s. 4d. Sc.; item for a year's missive dues, £38 os. 6d. Sc.; item for the town's agent's salaries and other incidents, £40 Sc.; item for a Commissioner's charges to attend the Convention of Burrows, £60 Sc.; item for carrying on the work of the harbour for cleaning and deepening the same, £240 Sc.; item for causewaying and helping the streets, £30 Sc.; item for collector's sallarie and deficiencies of stent, £50 Sc.; Extending in haill to £873 10s. 10d. Sc." The expenditure for the year 1764 was £1452 6s. 8d. Sc. Cf. H. C., 1786, T. C., 1840, and C. B., 1628.

Probable Revenue : Rents and feu-duties, £394 ; petty customs, £61 ; church seat-rents, £23 ; interest of loans, £45 4s. ; casual revenue, £15.
Total £538 4s.

Deficiency £239 17s. 9d., to which falls to be added £10 8s. 3d., being an excess of expenditure over revenue on last year's accounts.

EXTRACTS FROM MINUTES OF TOWN COUNCIL, 1750-1891.

1750.

February 24.—No Burgess Acts to be given hereafter to travelling chapmen, &c., for a less composition than £30 Sc.

August 30.—Petition from Lord Deskford for changing the road to Guthrie and making out a new one :—"Your petitioner is now building a house * upon the Castlehill of Banff about which he intends some policies. He would not desire this convenience to himself were it not likely to be an ornament to the town, and a convenience to the inhabitants." He petitions "that the road leading from the back of Baillie Philip's tenement to the Braeheads and the harbour of Guthrie should be stopt up by a dyke runing on the north side of Baillie Philip's house and Water Path from the corner of the Castlehill dyke to the Castleyard dyke, and likewise that the road betwixt the Castlehill and Rosecraig Park should be stopt up, and in place of these roads it is proposed that your petitioner shall, on his own charge, make out a straight road of 23 feet breadth, running north from the High Street through Baillie John Ogilvie's tenement, Baillie James Ogilvie's yard, and Lyle's croft, and turning into the old road near the Braeheads, and, to accommodate Baillie Philp and the other heritors in the head of the Water Path, your petitioner proposes to make a lane or road 13 feet wide leading by the back of James Booth's house into the said principal road."

The Town Council agree as to the two roads being closed, &c., as the alterations will be no real detriment to the town, and for the regard and respect they bear to Lord Deskford. Their consent bears after the words "Castlehill dyke" (supra) "lineally westward until it join the yeard dyke on the other side possessed by William Mitchell a little to the north of the well at the head of the Water Path."

November 9.—The treasurer has received £2 13s. 10d. Stg. from Alexander Brebner, merchant in Portsoy, being the fifth of the value of two masts thrown in upon the bounds of the town in name of salvage.

* The House cost £26,400 Sc. (£2,200 Stg.)

1751.

January 22.—Petition from Lord Deskford to quarry stones in the quarries belonging to the town in the Gallowhill for building office houses and dykes about the Castle of Banff. Granted.

The Magistrates send a letter to the Member of Parliament for the Burghs urging the taking off the duty on coals north of the Red Head: "The duty on coal which the Burrows and Countys in Scotland to the northward of the Red Head have hitherto been subjected to has always been reckoned a very great hardship and grievance, and very unequal, as there is no such duty payable in the south of Scotland, where the coals are produced, and it must always be a great discount to artificers and those employed in the manufactures to come and settle amongst us."

March 12.—The Provost buys 80 bolls meal at £6 10s. Sc. the boll from Lady Craig, and 50 bolls from Alexander Innes at 10 merks Sc., to be sold out in the Meal Market in retail, being designed to supply the poorer sort of the inhabitants.*

March 16.—List of householders within the burgh made up for imposing the half of the money for the use of the poor.

April.—James Elder, one of the posts, admitted burgess and guild brother. He pays £36 Sc. of composition, £6 Sc. to the collector of the Charitable Fund, and £4 Sc. to the Guild-box.

1753.

January 9.—"The Provost reported that he had been upon a coming with Lord Banff for purchasing from his Lordship the old lodging and ruin belonging to him near the cross, and adjoining to the great yeard, as also a part of said great yeard on the south side of the said old lodging and lying betwixt the same and the few to be given off by his Lordship to Captain Wm. Gordon, as also a small yeard adjoining to the said old lodging possessed by Provost Innes, for which his Lordship

* In 1741 the Magistrates and Town Council were empowered by the Head Court to purchase in all 700 bolls oatmeal, there having been then in the burgh many families unprovided for and unable to procure meal during that period of dearth and scarcity. The meal was sold out at 9s. Sc. per peck. Scarcity re-appeared in the burgh in 1763, 1766, 1773-4-5, and above all in 1782-3.

has agreed to accept of 14s. Sc. as few-duty for each rood, and likeways represented that it seemed to be the general opinion that it will be for the ornament and conveniency of the town to few from his Lordship the said old lodging, that they may build, repair, and put the same in such order as they think fit, and that, as that part of the great yeard adjoining thereto was proposed by some of the Gildry that the same should be sub-few'd by the town, for behoof of the Gildry, in order a tenement might be built thereon of the quarterly penny fund for the poor of the Gildry."

The Council agree to the purchase, and the better to enable them to make the same they call a Head Court, to be held within the high Tolbooth, for considering said proposals, in order to give their advice and direction thereanent.

January 23.—"In consequence of an Act of Head Court, the Council make a contract with Lord Banff anent the old house and lodging with the closs and pertinents which pertained to his Lordship, lying near the cross, and likewise the yeard adjoining thereto, and resolve to dispone to James Innes the yard possessed by him and the litle piece of ground adjoining thereto on the south side thereof. Lord Banff insisted he had a right to a road from the back entry of his great garden along the side of the butts to the eastward. This is agreed to, viz., that Lord Banff, his heirs, successors, and fewers of the forsaid great garden, are to have right to a road of 9 foot in breadth from the said back entry to the eastward, along the end of the yards on the north side of the said butts and all the way along the south side of Montblairy's house until it join the publick road leading to the bulwark, and if at any time the said butts be converted into any other use, or inclosed by a dyke upon the north side, the said road of 9 foot broad is to be left out for the use of his Lordship and foresaids."

It was reported that Captain William Gordon intended to build a handsome house upon the feu disposed by Lord Banff to him, and that the Captain had applied to have a liberty for taking some stones from the old house or lodging purchased by the town from Lord Banff, for which he was willing to pay a reasonable value.

The Magistrates agree thereto, and as the west front of the said old house must be taken down, being so narrow within the walls that no right house could be built thereon, they allow him to quarry and carry off

stones from the said west front except the freestone, and to begin at such a place of the west front as will not interfere with the building the town intends on the south front, and to raze down the west front from top to bottom—the value of the stones to be referred to the Captain himself.

February 17.—The 300 merks of a legacy from James Gordon, merchant, Banff, bequeathed to the poor of this burgh is now paid over to the cashier for the Coal Fund.

April.—Liberty granted to Alexander Dirom, writer, to build (1) a lime kiln at the Boat Hyth, the said kiln not to exceed £30 Sc. of value, and the town to have right to take it at valuation; (2) a house, not exceeding £7 Stg. in value, close to his lime kiln, for preserving the lime and keeping his coal.

September 8.—“Petition from Lord Deskford, that he, having built a new house upon the Castle Hill, and as the narrow road from the King's Well to the Seatown interferes with his intended policies, he wishes to stop up the part of the said road that lies be-north the 18-foot road which he has already formed from the gate of his said new house up to that narrow road leading from the King's Well. He is willing to leave the 18-foot road open to the public, which it is hoped will be more convenient for the town than the narrow road. He also petitions that as the town intends to bring the water of the King's Well in pipes to the street at the cross, which will deprive him of the water that comes from that well into his washing green on the Castle Hill, therefore that he be allowed to bring the water of Duff's Well and Muir's Well which ly within his Parks across the roads and streets to the Castle Hill in pipes. The Town Council agree, but without prejudice to them or their successors bringing water in pipes along the said streets or along Lord Findlater's or Lord Deskford's parks from St. Katharine's Well or other springs belonging to the town near the Seatown to the King's Well, or any other part.” The narrow road above referred to is 7 feet 4 in. broad within the dykes.

September 27.—“Paid half-a-crown to the Provost, which was given by him to the military for drink money, when making out the road from Banff to Boindy last July.”

1754.

June 22.—Captain William Gordon petitions for a piece of ground within the Banff yard adjacent to his feu. Granted on the terms the town lately obtained it from Lord Banff.

October 26.—Alexander Murray, merchant, empowers the Treasurer to set, in name of the town, the apartment of the North Lodging yet at his disposal, to wit, the large vault, kitchen, and bed-chamber with the room above the kitchen and garret situate at the east side. The Council thank Mr. Murray.

1755.*

April 16.—Expense of bringing water in lead pipes from the King's Well to the Cross, £111 10s. 2d. Stg.†

May 22.—“At Banff in presence of Alex. Innes of Rosyburn, Provost, compeared Mr. Nathaniel Morgan, late minister in the Episcopal congregation at Air, and represented that he now intended to serve as Minister of the Episcopal Congregation at Banff in the house belonging to the said congregation, called St. Andrew's Chappel, lying on the east side of the High or upper street of the burgh, and produced letters of ordination from Martin, late Lord Bishop of Gloucester, dated 30th Oct., 1748, which had been recorded in the Burrow Court books of Air, and in the Shirreff Court Books of Banffshire, as also produced a Certificate under the hand of Thomas Gibson, Clerk to the Court of Session, of date 10th Nov., 1748,

* Advertisement sent to the *Aberdeen Journal*: “Whereas the days for the Banff markets advertised in the *Aberdeen's Journal* in December, 1752, are found to be inconvenient, as they interfere with other fairs in severall adjacent places in the country, therefore these are to give notice that the said markets are to be held yearly in time coming, as follows :—

Candlemas	Fair upon last	Tuesday of January.
Lady	“ “ second	“ March.
Brandon	“ “ “	“ May.
St. John the Baptist's	“ “ third	“ June.
Jerom's	“ “ first	“ October.
Dustan	“ “ second	“ December.
St. John's	“ “ twenty-seventh	December, and if that shall

fall on Sunday, upon Monday thereafter, all according to the present New Stile.”

The Edinburgh Almanac for 1749 intimates the following Fairs at Banff :—

- (1) Brandon Fair on the first Tuesday of February.
- (2) Dunstan Fair on the first Tuesday after Whitsunday.
- (3) St. John's Fair on the 27th day of December.

In 1798 a regular weekly market was held on Friday. There were then also three annual fairs. In 1836 four fairs were held yearly, but only one—Brandon fair held at Whitsunday—was of any magnitude.

† In 1753, the Magistrates “having conveyed the water from the King's Well in lead pipes to the Cross of Banff, having one well placed at the head of the Strait Path, another near to the said Cross for supplying the inhabitants with fresh and clear water, which had been accomplished to great purpose, and would be most usefull and convenient for all concerned,” the Head Court authorised the Magistrates to stent the inhabitants that used the water and contributed not voluntarily, the work having been done by voluntary subscription.

certifying that the said Mr. Nathaniel Morgan, as a Presbyter of the Church of England, had before the said Court of Session qualified by taking the oaths appointed by law, and desired the said letters of ordination and certificate might be again recorded in the Burrow Court Books of Banff in terms of the Act of Parliament." The same is appointed to be recorded.

August 15.—The Town Council resolve to feu out the Gallow Hill and the muir ground adjoining thereto upon the south, north, and east parts, which yield nothing to the town at present, except the stone of the quarries for building. The said hill, exclusive of 36 acres fit for quarries, extends to about 114 acres, all lying betwixt the King's Road that leads from Banff to Boindie on the north, and the King's Road from Banff towards Blairshinnoch on the south. It is proposed that the 114 acres be marked out and feued, but that the whole matter be first laid before a Head Court for their advice and approbation. It is also proposed to feu out a piece of hill ground, belonging to the town, divided from the Gallowhill by the King's highway leading from Banff to Blairshinnoch, having the King's highway on the north, Colleopard's lands at the west, a public road and Lord Braco's lands at the south, and the road interjecting between the said piece of ground and Lord Deskford's lands in the Garrieslot at the east.

1756.*

March 5.—The street from the house of Mr. James Sanders, Surgeon, to James Smith's heritage is now causewayed.

June 16.—Tack for nineteen years of a piece of ground at the Boat Hyth to Mr. Dirom, to the west of his present limekiln, betwixt the rock where the limekiln stands and the next rock to the west.

July 6.—"Consideration anent an excambion with Lord Braco and his son, the Master of Braco, for the town's lands in the Bearsyde, and other

*[In this year the Magistrates granted 25 licenses for retailing ale, beer, and other exciseable liquors, of which 17 were to brewers, 1 to a vintner, 1 to Alexander Strachan, merchant and postmaster, 1 to Robert Innes, Town Clerk, &c. The licensees engaged in writing to "keep regular and orderly houses, and to provide and have in readiness, in some proper part of our houses, bedds, and bedding, and suitable accomodation for quartering continually four souldiers at least, to the satisfaction of the Magistrates, under the penalty of 20s. Sterling for each transgression." In 1770 twelve licenses were granted, 9 to innkeepers, 2 to vintners, and 1 other. From 1781 to 1787 the average number of licenses was six. In 1792 the number was 15, of which 4 were to innkeepers, 6 to merchants, 4 to vintners, and 1 to a hairdresser. From 1805 to 1808 the average number of licenses was 15.]

lands in the Seatown, with the fish-boats, also anent altering the road that leads from the King's foord along the Park dyke hard by the south front of Lord Braco's new house, and turning at the south-west corner of the said park by Robert Reid's house. For this he would make a road 24 feet broad down the hill of Montcoffer to Scurry foord, thence to join the public King's highway at Sandyhills, and the road from the King's foord, down the water side along the bulwark and leading to the town, hard by the Grammar School, to be continued as before." Also a piece of ground, being part of Gallowhill, having Colleopard's park at the west, the common highway to Blairshinnock at the north, and the common road going along the head of the Garrieslot at the east, which he proposes to feu from the town "to plant the same to serve as a prospect for his said new house."

August 9.—A Head Court is to be called to consider Braco's proposals.*

A Forestair removed to clear the High Street that leads to Guthrie Harbour.

1757.

May 16.—Lord Braco has paid £230 12s. 6d. on account of the excambion made anent the Seatown.

"The Council had under consideration the severall plans for building something upon the Old Towers lately purchased by the town from Lord Banff, and considering that the same has long continued a ruin at and about the Cross, and that it's the generall opinion of the town that something should be done in this way for the policy of the burgh and removing such a nuisance from the Cross, as well as for the converfience of the inhabitants, who are many times straitned for want of proper houses to lodge in: they therefore resolve (1) to adopt substantially John Marr's

* See "Minutes of Head Court of the Burgh of Banff, Charter, &c., showing the terms and conditions upon which certain public roads leading to the town of Banff were allowed to be shut up or diverted, and the manner in which these terms and conditions have been implemented and are now observed: Portsoy, 1858."

This pamphlet (13 pp.) gives copies of the Minutes of Head Courts held 10th August, 1756, and 10th December, 1763, with Charter, of date 23rd October, 1756, by the Magistrates to Lord Braco of lands in the Bearside, Gallowhill, &c., also letter from Mr. G. R. Forbes, Town Clerk of Banff, to Lord Fife's factor, of date 6th February, 1858.

The Head Court approved and thanked the Magistrates "for making so beneficiall a bargain for the town."

plan, (2) that the said plan, consisting of two houses to the north and two to the west fronts, shall be execute as follows: that the Guildry and those connected with the quarter penny fund be invited to join with the town in building the west front, and that the town shall give them off the ground for building one of these houses upon very easy terms, with the liberty of stones from the said old towers; that the town, now that they have received the contents of Lord Braco's bill, and are otherways in easy circumstances, should build the other half of the said west front, which lies next to Capt. Gordon's heritage, (3) that the north front be feued off consisting of two houses by said plan, &c."

1758.

April 1.—William Robertson, thread manufacturer, is to be allowed to carry on his trade without being a burgess, but must give up his trade on oath to be stented for the King's Cess, &c.

June 3.—William Robertson refuses to give this up, so he is to be stented to the extent of £3000 Stg. for his trade or waring.

June 3.—Thomas Murray, merchant in Banff, now residing at Old Meldrum, gives to the town, for the use of Guthrie Harbour, certain tenements and houses belonging to him. The Council send a letter of thanks to Mr. Murray. A minute thereanent is entered by the Council, "that their successors in office and posterity may know and be sensible of Mr. Murray's generosity and goodness to the town of Banff."

October 17.—Proposals made for excambing the minister's glebe and the Sickhouse Croft, or piece of land adjoining to it, belonging to the Kirk Session, for the benefit of the poor, with some lands belonging to Lord Braco, the object being to improve Lord Braco's policies about Duff House.

John Morison is paid £30 Sc. for his trouble in retailing 600 bolls of meal to the inhabitants at the rate of a penny Stg. per boll.

James Gordon bequeathed £15 Stg. to the town for charitable purposes.

Provost Bartlet presents an account extending over the last four years, and amounting (with £13 10s. balance for bringing water in lead pipes to the Cross) to £77 4s. 7d. Stg. It includes charges for wines furnished

at the town house on making burgesses, for wood to the hospital, guard house and new meal house, for three large street lamps from Newcastle, and for "depthning and inlargeing the place called the Boathyth, where the fishing boats land."

George Fordyce in Redstack, and James Milne at Upper Miln of Boindie, fined 20s. each for pasturing each a large flock of sheep upon the links of Banff, on the east side of the Burn of Boindie.

1759.

November 17.—The south part of the new house erected at the Cross for the town and guildry is set to John Gordon, writer, at £10 10s. Stg. This house is to belong to the Guildry. It consists of two rooms in length, with a separate entry. The mid part of the new house is set to Alexander Aven for £10. This house belongs to the town, and consists of two rooms in length, with a separate entry. The north part is set to William Alexander for £5. It is one room length.

1760.

April 15.—The Council pay £5 6s. 1½d. Stg. for a new boat to the fishers of the Seatown. The fishers' rents thus fixed: George Leil £3 Sc.; Andrew Petrie £2 10s. Sc.; Alexander Leil £3 Sc.; Walter Leil £1 10s. Sc.; James Leil £2 Sc.; John Leil £2 Sc.; John Bruce £2 Sc.; Marjory Adamson £3 Sc., &c., in all £26. Their "yards" are to be 6d. per rood additional.

James Bartlet of Afforsk, Provost of Banff, receives £10 10s. for his expenses as Commissioner to the Convention of Burghs.

1761.

"The Council allow Lord Deskford two or three cartfulls of fail or turf from the Gallowhill for topping a few elns of the dyke of Snappie Logie Park, lately rebuilt."

February 5.—Feu Contract with Captain William Gordon disponing to him (1) the piece of ground (9 roods 24 elns) on the south side of the

yard belonging to the heirs of Provost James Innes, and (2) the piece of ground (8 roods 19 elns) adjoining to his garden on the south side of the town's heritage, and divided from the town's heritage by a dyke lately erected by him.

November 25.—Minutes anent feuing out the Seatown, extending a street not under 32 feet wide from the end of the new street, and forming two cross streets and a walk round the Braeheads for the town's people walking and airing.

The steeple of the church is reported to be in a ruinous state and in danger of falling. The magistrates appoint the bells in the steeple to be taken down, and likewise the clock, and that the steeple, or such parts of it as appear most hazardous, be taken down.

"The town's mortcloath being in a very old and torn condition, the Magistrates and Council commission George McGilligin, shipmaster in Banff, to purchase for the town, at Amsterdam, as much black velvet as may be found sufficient for making a mortcloath, and they recommend to Mr. McGilligen to be at pains to purchase good velvet."

December 19.—Paid £4 17s. 7d. Stg. to masons and workmen for taking down the steeple.

Letter read from Lord Findlater trusting that his presentation of Mr. Skene to the Church of Banff would be approved of by the Magistrates. The Council reply that they will concur in Mr. Skene's presentation, but under protestation that it shall noways hurt or prejudice the town in any right that shall appear to belong to them.*

1762.

January 25.—Paid £11 9s. for wood for scaffolding at pulling down the old steeple, and for wood in making up the new steeple for the bells.

March 15.—"The Council, considering that it is absolutely necessary both for the convenience of the inhabitants of the town with respect to the policy of the burgh, and also for convening of the gentlemen of the county, that a proper steeple be erected and bells and clock put therein, both to serve the inhabitants for the notification of the hours and for the usual intimation of divine service and other usuall purposes within the

* Cf. T. C., 1793.

burgh, but also for the county gentlemen at their publick meetings, resolve by voluntary contributions to erect a steeple." The Council contribute £80 Stg. Several noblemen and gentlemen have already offered very handsome subscriptions. "The Council resolve that the bells shall in all time thereafter be at the command of the gentlemen of the county to ring for intimation of their publick meeting, and at the command of the minister of the burgh to ring for convening to divine service."

April 3.—£7 2s. Stg. paid for swords to the officers, and for velvet for a mortcloth bought at Rotterdam.

April 23.—(1) Lord Findlater agrees to give 120 guineas for an entry on all the lands and heritages belonging to his son, Lord Deskford, holding of the town, and offers to give 40 guineas more in a present to furnish a clock for the new steeple, or to finish that steeple if the voluntary contributions fall short. (2) That although it does not appear that there is a claim against the Earl of Findlater for teinds out of certain lands belonging to his Lordship, in virtue of a deed of mortification by Bishop Cunningham for support of a master of the Grammar School of said burgh, as the same had never been enjoyed and possessed by the town, nor Lord Findlater's rights any way burdened with the same, yet to avoid all questions with the town, Lord Findlater agreed to pay 15 guineas for a discharge of that claim. (3) "Lord Findlater and Lord Deskford agree to dispoise to the town the new road or street passing from the Gray Stone to Guthrie Harbour, and the lane or passage upon the south of the Castle yeard, upon getting a disposition from the town to the old street and the road between the Castlehill and the Rosecraig Park. Lord Deskford is willing that the road betwixt Caldham Park and his Lordship's inclosures shall be made 20 feet broad, and he expected the town would agree to take off a waring road on the west side of said park, so that the rest might be enclosed. Lord Findlater showed a grant from the town of Banff, 1631, to one of his Lordship's authors of that part of Caldham Park betwixt the Braehead and the sea which the town claimed a right to." [The town parted with its right in 1621.]

Lord Findlater, as a well-wisher to the town and trades, agrees to give 10 guineas to the Convener's box.

The above agreement is to be laid before the Head Court.

July 10.—The Earl of Findlater has paid all the aforesaid sums.

September 20.—3000 merks Scots paid by Mr. Duff of Whitehill, in terms of the decret arbitral, as a stock for purchasing 20 bolls of meal, being Winchester's Mortification.

December 6.—The Provost produced a deed of Mortification by Dr. Alexander Strachan, physician, of some houses and ground for a shelter and place of residence for two or more honest poor decayed persons.

1763.

January 17.—As there is a great demand for meal, and as the price appears to be high, therefore, in order to provide for the poorer sort, and such of the military as may be quartered here, the Town Council resolve to buy meal at £8 Sc. per boll. From 300 to 400 bolls are thought to be sufficient.

January 17.—As the present two cisterns for the town are far too small, and the water often deficient, and the inhabitants badly supplied, therefore the Town Council resolve to remove the present cistern at the Cross and place it where the other is, viz., at the head of the Strait Path, and to have a new and larger one at the Cross.

January 17.—The Magistrates and Council, considering the necessity for the town having a washing-green and washing-house for the convenience of the inhabitants, and having fixed upon that piece of ground adjacent to the spring or well called Painted Effy, to the west of the march of the Caldhame Park, name a Committee to execute said works.

March 19.—The treasurer pays John Rhind, mason, £2 3s. 8d. Stg. for making a bridge on the Braeheads at Buckie's lock, on the Seatown lands.

July 28.—General Abercrombie obtains a feu from the town of that piece of ground, being the north-east part of the Old Towers, at or near to the Cross, and 56 feet in length from the street, with the High Street at the north, that part of Lord Banff's garden feued out to Provost James Innes' heirs at the east, &c. The round part of the building on the ground presently feued off is to be taken down so far as it projects on the street.

August 24.—Ground set in tack for 19 years for a "roperee" to Patrick Dockar and George McGilligen. The ground is upon the beach below

the road betwixt the harbour of Guthrie and the Boathyth leading from said harbour to Mr. Dirom's limekiln.

December 9.—The Earl of Fife requests a feu of that small piece of ground belonging to the town which lies to the south of the place where the bridge is building, in order to enclose the same and bring it within his policy.*

December 20.—Articles settled between the Magistrates and Alexander Aven anent his giving up his possession of the south part of the new house, presently possessed by him, in order that a steeple may be built.†

* He offered to pay for the ground £40 Stg., also £10 Stg. to the Convener's box, and 10s. Stg. as feu-duty, "with this condition, that his Lordship make a convenient watering place near to the mouth of the Gellymiln burn for the horses and cattle of the inhabitants and strangers while in town, and to which they are to have free liberty and access, when the bridge is built, through his Lordship's grounds on the east side, that in case the bridge after being built shall happen to fall, or become impassable, that then, and in that case, his Lordship is obliged to allow the town to have access by the road through the said piece of ground to the King's foord as formerly, until the said bridge is again made passable."

† The erection of the steeple and adjoining buildings gave rise to several disputes. Captain (afterwards Admiral) Gordon came to reside in Banff in 1750, and in 1753 took a feu of part of Lord Banff's grounds, upon the east side of Low Street. The town took a feu of the adjoining grounds on the north side of the Admiral's feu. The Admiral built a house on his feu, while the town's feu remained for several years in the ruinous state in which they got it. He obtained eight roods nineteen ells of the town's feu, and laid it out in office houses and a back passage to his house. The town afterwards built houses on their feu, fronting the west, with a public walk or Exchange in front of them. On the south side of this Exchange they built a Guard House, and the south side of the Guard House bounded so far the piece of ground given off by the town to the Admiral. The ground on the east end of the Guard House was left unenclosed by the town, and the Admiral got liberty to build a dyke on the march, to enclose his ground. That dyke he built on the town's ground. On the ground on the east end of the Guard House the town built a Steeple, and it was resolved to convert the south part of the town's houses into a Town Hall. In 1764 the foundation of the Steeple was laid. This foundation having to be made very deep, part of the Admiral's dyke had for safety to be taken down. The Admiral protested not only against this, but also against erecting a Steeple at all near his house. He represented to the Magistrates and Town Council "the danger of the spire falling on the roof of my house, or should it stand, which will be next to a miracle, a continual alarm of bees." Mr. Adam, the architect of the Steeple, reported that there was "no risk of falling, except from an earthquake or lightning, and all hazard from the latter can be prevented by a wire conductor." The adjacent ground was the subject of litigation in 1779.

"The south syd of the Old Towers, next Captain Gordon's dyk," was taken down in February, 1760, the charge being £2 15s. Stg. Two months afterwards the "Old Tower next Captain Gordon's yeard" was taken down (the work costing 3s. 8d.), also "a pice of the Old Tower next Mrs. Innes's yeard," the workmen's charge being 1s. 8d. This is the last contemporary reference to the once famous Palace of Banff (Cf. T. C., 1746). At the erection of the town's new houses near the Cross in 1760 the workmen were paid 6d. a day; the bricks cost 1s. 2½d. per 100, the lime 6d. per boll, and slates (from the quarry of Melrose) 23s. 4d. per 1000. For loading 1500 slates at Melrose three women received as wages 6d. each. Women seem to have held a monopoly of this occupation, for in 1781 we find in connection with building houses at the Battery the following charge: "To the vimen for caregg to the bot of 8500 slattes from Melrs, 12s. 9d."

1764.

January 30.—Although many attempts have been made for several years to feu out the Gallowhill moor for improvement thereof, and for raising a fund for the harbour, yet a great part is not yet offered for.

The Council resolve to carry the road through the back side of the Gallowhill in a straight line with the north side of Colleonard till it wind to a hollow or gully, and so down to the present road between Bailie Alexander's park and the lands of Boyndie.

March 31.—Mr. Dirom agrees to pay 20s. Stg. yearly for three years for the dung of the streets and to carry it off.

April 9.—“The Council allow William Robison, thread manufacturer, to build a stair to the house he has erected for his thread manufacture, and for holding his yearns.”

April 12.—“The Earl of Fife pays £71 Stg. as his contribution to the new steeple, and £40 Stg. for the piece of ground at the bridge.”

1765.

June 15.—“The Dean of Guild represents that the quarter pennies paid by the subscribers to the Charitable Fund for behoof of decayed burgesses, gild brethren, and their familys, was at the first institution only 3s. Sc. per quarter, and that the composition paid by entrant burgesses, gild brethren, to the said fund was only £10 Sc. That these funds and the debts due by the town are the only funds for the support of decayed burgesses, gild brethren, and their familys [that the allowance is small], though these sums may have been sufficient at the time of the institution when the price of viviers and the expense of liveing was greatly cheaper than they are at present. The Council are of opinion that the Guild Brethren and Charitable Fund should be united under the name of Guild Box, for the support of decayed burgesses, subscribers to the Charitable Fund, that the quarter pennies be 6s. Sc. per quarter, that every burgess gild brother who in future shall be received, whether gratis or not (honorary burgesses excepted), shall be obliged to pay £12 Sc. to the gild box, and by his subscribing to pay quarter pennies be entitled to support in case of his or her family's distress, and that every tradesman who shall incline to pay the £12 Sc. of composition shall be associated as a member, and have an equal title.”

July 16.—In consequence of an Act of Council 17th January, 1763, there is now finished for the accommodation of the inhabitants in the field adjoining to the well called Painted Effie a washing-house, with four fire places and a separate room for keeping clothes, and four bleaching greens, with proper reservoirs of water and everything necessary for the convenience of those who incline to wash there, also a dwelling-house for a person to take charge, who is to receive a small allowance and to pay a reasonable rent to the town.* The charge to be 1s. Sc. a night for one-fourth part of the house and lair. The same charge if the washing is done outside the house.

1766.†

January 11.—Considering the present appearance of dearth, the Magistrates and Council authorize the provost and magistrates to purchase 300 bolls meal : 60 bolls are bought at £8 8s. Sc., and 40 bolls at £8 10s. Sc., &c., and to be sold at 10½d. a peck.

June 12.—482 bolls meal bought.

December 12.—507 bolls sold for £340 15s., at from 10s. 8d. to 14s. 8d. per boll.

December 12.—John Marr, mason, cleared anent his work at the steeple. The west dial of the steeple clock has hour and minute hands, the two others have only hour hands. A 30-hour clock has been preferred to an 8-days' one. A bell of 30 inches diameter to be put up in the steeple for striking the hours, &c., and to be made in London.

Paid John Marr, mason, £140. Paid James Rhind for freestone, £6 2s. 4d., &c. Received for the steeple, £251 (expenditure about £247), Lord Fife having paid £71, Lord Deskford £50, Earl of Findlater £21, Sir Robert Abercromby £2 2s., Troup £10 10s., Mr. Gairden of Delgatie £5 5s., Lord Banff £5 5s.

* Cf. T. C., 1878.

† The following letter, of date 20th June, 1766, was sent by the Magistrates of Aberdeen to the Magistrates of Banff : "No doubt you have heard of the riotous mobb that happened here on Friday last at the whipping of the three criminals, in pursuance of the sentence of the Circuit Court in May last for the riot they were guilty of near Banff, by assisting to rob a ship of meal. The three prisoners were rescued by the mobb, and we can get no account which way they went." The letter added that Alexander Robb, one of the three, was a resider in Banff, and that his wife and family were there, also that it was reported that some people came from Banff to assist the escape of the criminals. The Magistrates of Banff replied that Robb's wife and family left Banff soon after his sentence, and that the Magistrates believed no one went to Aberdeen with the intention alleged.

1767.

March 20.—William Littlejohn, square wright, Aberdeen, makes proposals for a tack of the sea rocks belonging to the town, for winning and quarrying stones fit for the causeways at London. They are set for three years at £5 Stg. a year. He is willing to employ the shipping belonging to the town of Banff preferably to that of Aberdeen. The town's people are also to be allowed to work stones for building, but not at the same part as Mr. Littlejohn is then working at. The condition is imposed that he must employ the masons and work people of Banff preferably to any others for working in said quarries.

December 5.—“Owing to inconvenience by the butchers not having stated times for butchering and selling their fleshs, the Magistrates and Council enact that butchers kill their beef and pork upon the Thursdays only, and all other sorts of fleshs either upon Thursday or Munday, that beef and pork is only to be exposed to sale on the Frydays, and all other sorts of fleshs on Frydays or Tuesdays, but no fleshs to be sold till after ringing of the bell at seven in the morning, from the 1st of April to the 1st of October, and at nine in the morning for the rest of the year; also, that no beef be sold in quarters untill the consumpt for small pieces be first supplied, and none to be sold in wholesale till the demand for quarters be first answered, and none to be sold either in leggs or quarters till after twelve of the clock.” Penalty of £6 Sc. for each transgression.

“The town's funds are greatly exhausted this year by repairs on the harbour, and other public works, and purchasing a publick clock and bell, which with the expences of dial plates and puting up had cost above £160 Stg.”

1768.

June 14.—“The Council, considering that the present situation of the Market Cross of said burgh, as it stands upon one of the most publick streets thereof, the said street is very much incumbred and confined, they therefore recommend and impower the provost to make the necessary application to the Court of Session for taking down and removing the said Cross, and to have some proper place appointed for publications, and they allow the provost to lay out such necessary expences as these severall applications may require.”

Here are recorded the following "Acts and Warrant for taking down and removing the old Market Cross of Banff, and that the base of the steeple upon the south end of the Exchange fronting to the west be used in place thereof for all publick citations, intimations, proclamations, &c."

(1) Warrant of the Court of Session on 6th August, 1768. It is herein stated that the Cross is "a pretty large building," inconvenient for town and country people resorting to the annual or weekly fairs, these being held in the street where the Cross now stands. Lords Gardenstown and Kennet are appointed by the Court to inquire into the facts, and to converse with the other Courts.

(2) Warrant of the Lords of Justiciary, 8th August, 1768.

(3) Warrant of the Barons of Exchequer, 6th August, 1768.*

* The Cross was accordingly removed and re-erected on a rising ground in a field outside the town, which position it occupies to the present day. A letter from Lord Fife of date 1768 contains the following: "Thanks to the Majestrates for the Town's Cross. I shall elivate it upon some proper place with a wish that all the Town's crosses be buried at the bottom of it." Little is known of its appearance prior to its removal, but it is supposed to have differed in no material respect from its present form. In shape it is hexagonal, about fifty feet in circumference, and of considerable height. The Cross of Edinburgh, which was removed in 1756 by an Act of Sederunt of the Court of Session, was sixteen feet in diameter and fifteen feet high, while that of Aberdeen measures twenty-one feet in diameter, and eighteen feet in height. A Cross is referred to in an old Banff Protocol book of 1542, but the Burgh Accounts for 1627-1628 show when this cross was erected, for therein appear items of expenditure for the "new croce," and the date also appears on one of the carved stones built into a wall near the base of the steeple at the Town's buildings, which stones were evidently taken from the Cross on its removal. The shaft may have belonged to an older Cross. In 1695 the Accounts bear: "To George Ogilvie for 7½ lb. iron to be clasps to the cross 16s., 5 lb. leid 17s. 6d., for hair to plaister the cross 16s., to the massons for dressing it £2 8s."; and in 1702 "For work done to the cross, for four dails, lock, oyll, and couller, &c., £3 10s. 8d." This shows it then had, as it now has, a door.

Little of public moment was ever transacted in former times far from within hearing of "the mercat croce." Even Courts were held thereat in ancient times (see p. 25 *antea*). A few instances may be quoted of the part played by it or its modern substitute in the punishment of offenders:—

At a Sheriff Court held at Banff on 27th June, 1748, Alexander and Arthur Stuart were accused, at the instance of Aaron Grant in Mains of Allachy, Aberlour, and Malcolm Grant in Inchrory, Kirkmichael, of theft of cattle and reset of theft. Malcolm Grant, the pursuer, is designated as "one of those gentlemen that appears now and then in the Highlands under the name of Macgregor." An assise find (30th June) "malice and outhounding proven against Alexander Stuart," and the Sheriff-Depute (Robert Pringle) "adjudges the said Alexander Stuart to be carried back prisoner to the tolbooth of Banff, there to remain till Friday the 15th day of July next, and on that day to be carried to the Market Cross of Banff, and to stand on the steps with his back to the door of the Cross, bareheaded, from eleven o'clock in the forenoon till one o'clock afternoon, with a paper on his breast with the following inscription in large letters

October 29.—“The magistrates reported that immediately after the bridge was carried away [Sept. 17] they had caused make a passage or ferry boat for carriages, and had got the use of a small boat for foot passengers for serving the leidges in crossing the river, and had employed Peter and William Allasters as boatmen, and these two now appearing made oath they had received £6 17s., they are allowed the half for their trouble. The Town Council continue them, they paying the treasurer weekly.”

Regulations for freights for the ferry boats:—“For every foot passenger going and coming the same day, $\frac{1}{2}$ d. Stg. (and though he does not return the same day). Every horse and ryder each time 2d. Stg. Every single horse cart if empty 2d., and 4d. if loaded, the driver in both included.

‘An Infamous Outboulder of Thieves,’ and thereafter banishes him furth and out of this shire of Banff for ever, and in case the said Alexander Stuart shall after the said fifteenth day of July next return to, or be found within, the shire of Banff, decerns and ordains him to be committed prisoner to the tolbooth of Banff, there to remain till the first market day after his commitment, and on that day to be taken from the said tolbooth, and publickly whipt through the town of Banff by the hands of the Hangman, receiving six lashes at each of the following places: viz., at the Market Cross, at the Kirk Style, at the foot of the Water Path, at the Grey Stone, at the head of the Back Path, and at the foot of the Back Path, there to be dismissed.”

1763, February 24th.—James Paterson, commonly called “Denhead,” butcher in Banff, is sentenced by the Sheriff-Substitute of Banff—Alexander Dirom—for having a cow in his possession without being able to give a just account how he came by the said cow, to be detained in prison until Friday, 18th March, and upon that day, betwixt the hours of eleven and twelve at noon, is appointed by him to be taken from prison and drummed through the streets of Banff from the Cross to the foot of the Back Path, and then up the Back Path, and out at the south end of the town, leading to Sandyhills and there dismissed.

1781, November 6th.—James Gordon, shoemaker in Nether Dunmeath, stole a hand saw and two planes. “The Sheriff adjudges him to remain in prison till Friday the 23rd November, and upon that day at eleven before noon to be taken out from prison, and carried to the mercate cross of Banff, and to stand there an hour bareheaded, with a paper pinned upon his breast and these words wrote upon it in large letters, ‘A Recepter of Stolen Goods,’ after which to be dismissed.”

Two more instances are here quoted, partly to show the substitution of “the cross wall” for “the mercate cross,” and partly to illustrate the former mode of dealing with offenders:—

1785, May 6th.—Sheriff Court held in the pretorium of the Burgh by James Urquhart, junior, of Meldrum. Mary Grant, *alias* Clark, in Glen of Newmill, or Brae of Glengerrack, in the parish of Keith, accused as guilty of stealing sheep, or being art and part thereof. The panel denied. A jury was appointed. The remains of the sheep were found in her house. “The jury, all in one voice, find the libel proven. The Sheriff-Depute decerns and adjudges Mary Grant to be carried from thence, and again imprisoned in the Tolbooth of Banff, until Thursday the 19th May, and upon that day to be taken from said prison, and carried to the town of Keith, in which bounds the crimes proven against you were committed, to be lodged in the prison of

- "Every double horse cart and driver, if empty, 4d., if loaded, 8d.
 "Two-wheeled chaise, passengers and driver, 6d.
 "Four-wheeled " " " 1s. Stg.
 "Coach, passengers, and driver, 1s. 6d. Stg.
 "Waggon " " 1s., but the horses for all these carriages are to pay for each horse 2d. Stg., and in times of extraordinary spates or storms, where the passage requires four men, each of the above to be increased one half more, except the foot passengers."

1769.

February 3.—*John Crichtoun appointed to wear the Dyvour Habit.*
 "John Gordon, writer in Banff, compeared in name of John Crichtoun,

Keith, until Friday the 20th curt. at ten o'clock forenoon, and at that hour to be carried from said prison, having your back and shoulders stripped of cloths, and that you be whipped through the town of Keith at the four following places—(1) at the west front of the Town house; (2) at the south side of the Square, where the street from the south enters the same; (3) at the top of the Square where the west street enters the town; and (4) at the north side of the Square where the north street enters the said Square, and that you will receive ten stripes at each of said places, and that you be thereafter again committed to the said prison of Keith, and remain therein till Saturday the 21st inst., then to be brought back again to Banff, and committed to the prison of said burgh, where you shall remain untill Friday the 27th curt., which day you shall be taken therefrom at ten o'clock beforenoon, and standing at the Cross Wall for one whole hour with a label affixed on your breast, having thereon wrote in capitall letters: 'An Infamous and Notorious Thief,' and thereafter be banished from this county never to return or be seen again therein."

1792, March 13th.—The Sheriff Depute—James Urquhart, junior, of Meldrum—having considered the verdict of assise against Alexander Scott, servant at Mill of Boyndie, "adjudges, decerns, and declares the said Alexander Scott to be carried from the Bar to the Tolbooth of Banff, to be therein detained until Monday, 26th March curt., and on that day, betwixt the hours of nine and ten o'clock in the forenoon, to be taken from thence, and with his hands tied behind his back, bareheaded, with a rope about his neck, and a label on his breast, having these words in capital letters: 'Alexander Scott, an Infamous Swindler and Cheat,' to be put and fixed to a high seat placed in a cart, and in that form to be drawn through the streets of Banff, accompanied by the Town Drummer, beating the Rogue's March, untill he be brought to the west end of the town, and to be carried from thence in a cart in the same form to the village of Portsoy, and there in the middle of the Square, or area opposite to the house of Mrs. Gordon, vintner, to stand exposed to public view, as on a pillory, for the space of one full hour, and to be then set at liberty, and from thence, after the 27th day of March currt., decerns and adjudges the said Alexander Scott to be banished, and hereby banishes him from the County of Banff, during all the days of his life, with certificate to him, that if ever, and as often, as he shall return to, or be found within, the said County, from and after that day he shall be apprehended, brought to, and incarcerated in the said tolbooth of Banff, for the space of six months, and shall, during that time, be, at least, three times publickly pilloried in the town of Banff, as the Sheriff for the time shall direct and appoint, and be of new banished."

merchant in Down, prisoner in the tolbooth of said burgh, and produced an abbreviate of a Decreet of Cessio Bonorum before the Lords of Council and Session, at the instance of the said John Crichtoun, against John Dingwall, senior, merchant in Aberdeen, and others, his creditors, and the said John Gordon craved that he might have the benefite of the said decreet of *cessio bonorum* and abbreviate thereof, which is dated 1st and 15th Decr. last, and that the said magistrates might be pleased to liberate him furth of their prison, as he was instantly ready and willing to obtemper the terms of the said decreet, by putting on, and wearing, the dyvour habit, as thereby decerned and appointed. The Magistrates ordained the said John Crichtoun to be liberate furth of their tolbooth, but, previous thereto, ordained him to put on, and wear, the dyvour's habit, and, accordingly, the said John Crichtoun, being cloathed with the said dyvour's habit, and taken furth, cloathed as said is, from the prison of said burgh, and brought by the town's officers so cloathed to the publick market cross of said burgh, upon the said 3rd day of February, being a publick market day, where he stood exposed to publick view, cloathed with the said dyvour's habit, for a full hour, betwixt nine and twelve of the clock, of the forenoon of the forsaid day, he was thereafter dismiss'd wearing the said dyvour's habit."*

February 28.—"Act and resolution for making a new Street throw the butts to be called Bridge Street :—

"The Council, considering the great inconveniencies the inhabitants of this town, and the leiges in general, labour under from the bad access to this town by the King's Foord, and where the bridge stood, as the lane, which makes the only access at present that way, is in some places only ten to eleven feet broad, and that, in the present application to Government for rebuilding the bridge, the want of proper access through the town to and from the bridge may be a great impediment, if not a total stop to it, therefore it is proposed to open a street from the bridge through the butts and through Provost Dirom's garden of 22 feet wide, from the butts to Admiral Gordon and William Morison's fews, and then to join

* The Court of Session enacted that the dyvour's habit be "a coat or upper garment which is to cover the party's clothes, body and arms, whereof the one half to be of a yellow and the other of a brown colour, and a cape or hood, which they are to wear on their head, partie-coloured, as said is, with uppermost hose on his legs, half brown, half yellow, conform to a pattern given to the Magistrates of Edinburgh." In 1688 the enactment allowed the dress to be dispensed with "in cases of innocent misfortune, liquidly proven." The practice was abolished by Statute passed in the reign of William IV.

the pass he had reserved between these feus to the street, and, in place and excambion, to dispoon to him those parts of the butts which will ly on each side of the said new street, as far as the same is marked off, and which terminates on the east by a line squared off from the line of Lord Fife's park wall, running a little to the eastward of the west gavel of the Mason Lodge, but reserving ten feet broad of the said ground on the east end of Mr. Dirom's and Kinnairdie's gardens, from the said new street to Lord Fife's wall." [Provost Dirom agreed. If William Morison's or Admiral Gordon's heirs shall give off any of their grounds to widen the passage between their feus, he will give them an equal quantity of ground on the east end of their feus without making any demand therefor on the town. William Morison agrees to draw back the north line of his feu 5½ feet or 6 feet at the east end running in a direct line with the gavel of his house, and Provost Dirom agreed to give ground to the east of his feu in place of it.

Provost Duff has taken a large feu of the Seatown lands. He is to have the liberty of taking the waste water from St. Katharine's Well for the malt barn he is building. For water he is to trust mainly to finding a draw well.]

April 6.—The Council, considering that a spirit of licentiousness and sedition has been stirred up of late in the metropolis of the Kingdom to the manifest disturbance of His Majesty's Government, resolve to present a dutiful address to His Majesty. They state that nothing in their power shall be wanting to prevent the contagion spreading in this corner.

June 23.—"The Council ordered the Clerk to make out burgess Acts in favours of John Rhind, John Ord, measons, &c., as tradesmen burgesses on their paying the composition of 20s. to the Gild Box."

1770.

February 20.—The County contribute £15 towards levelling and paving Bridge Street.

June 19.—"Many complaints having been made on account of dung and middens being laid down and made at the entry of the churchyard, or the Church style, which were very great nuisances and highly un-

becoming, the Council prohibit such under the penalty of £6 Sc.*

1772.

January 16.—Colone! Skene, Adjutant-General for Scotland, is allowed liberty to quarry in the Town's quarries, gratis, for rebuilding the Bridge.

February 5.—The Provost, in name of the town, subscribes £10 10s. for building a house for a cold bath.†

April 4.—The Magistrates and Council sign the feu-contract betwixt them and Patrick Duff of Whitehill, Alexander Dirom of Muiresk, George Robinson, manufacturer in Banff, William Alexander, and Robert Dunbar, merchants there, James and Alex. Robertsons, merchants in Portsoy, James Gordon, James Miln, and William Dunbar, merchants there, upon the three lots of the Seatown lands upon which the saids persons, in company for carrying on the malting business, have lately erected a maltbarn. They pay £25 10s. Stg. as entry money, with £3 16s. 6d. Stg. yearly as feu-duty.

December 17.—John Innes of Edingight and Alex. Russell of Montcoffer qualify as Councillors.

1773.

January 16.—“The Council, considering the present scarcity of meal in the market of Banff, authorize the provost to purchase 130 bolls meal to be sold, at 11d. per peck of 8 lb. weight, on Tuesdays and Saturdays, and to the inhabitants only, and no person to get more in one day than two pecks.”

It is resolved to purchase a ferry-boat, or to make a new one in place of the one lately lost.‡

* In 1762 the Head Court, considering “the bad practice of laying down and leaving dung-hills upon the publick streets still continues notwithstanding of the repeated Acts of Head Courts and Councils, which is a most intollerable nuisance, enact that any person laying down and leaving any dunghill or muck midden upon any of the streets above the space of twelve hours shall pay 20s. Sc.”

† Cf. T. C., 1776.

‡ “We propose to have a ball, half-a-crown the ticket, for relieving widows and bairns of the boatmen and people in Down drowned on Friday morning last . . . The seven lives lost on Friday call loudly for a Bridge.” (Letter from Sir William Dunbar to Lord Fife, January, 1773 —Rose Letters.)

June 15.—200 bolls of meal to be purchased to supply the poorer sort of the inhabitants.

September 22.—The present ferry-boat being too small a new and proper one is to be made.

"I am very sorry for the misfortune of the ferry-boat, and regret poor Arch. Grant and the other men. Christie, I believe, has left a family. I dare say they will be in a deplorable state." (Letter from Lord Fife to Mr. William Rose, January, 1773—Rose Letters.)

"1768, September 16.—The Bridge of Doern was this day carried down and totally destroyed, and thereafter the river was crossed by ferry-boats and many people drowned through accidents. The river rose fourteen feet above its usual height, 'which he measured on the gable wall of the mill of Banff.' Great quantities of corn and hay carried out to sea, and salmon left dry in the fields and ditches, and the lower end of the town of Banff was expected to be carried away and people were taken out of their houses by boats. No lives were lost, as the flood happened in the daytime . . . 1772. In the beginning of this year a new bridge over Doern was begun to be built at the expense of Government, under the direction of Mr. Kyle, who was employed by Colonel Skene. There were only three pillars built that season, and in doing so great care was necessary in securing the foundation of the work, as the ground on the near side was only sand and shingle, which was the cause of the former bridge being destroyed in 1768. Since that time great losses and many accidents have happened in attempting to cross the river at the fords, and also by the ferry-boats, which crossed near the mouth of the river. Seven people one night were carried by the boat out to sea and all were drowned, most of them belonging to Macduff." (Mem. by the late Mr. Christie, Solicitor, from note-book of Mr. Wm. Wilson, formerly clerk and manager of Banff Brewery.)

On the erection of the former bridge, which was opened for traffic about August, 1765, the public road by the King's Ford was closed. That bridge stood only about three years. It fell on Saturday afternoon, 16th September, 1768, the river having risen to an unprecedented height, after thirty-six hours of heavy rainfall, and the arches of the bridge having become almost choked with straw, branches, and general debris. The haughs about Duff House were all covered with water, and in the lower part thereof was some eight feet of water. This was considerably more than in the memorable flood of August, 1829, when the enclosing wall of Duff House grounds at Old Market Place gave way and the water flowed through at the breach with such force that the Mail Coach was carried off and three of the horses drowned.

Lord Fife, writing from Mar Lodge soon after the fall of the bridge, says:—"Make my compliments to the Magistrates of Banff. The erecting that bridge cost me much trouble. I am sorry I have seen an end of it, but, as I consider the life and comfort of every individual of the place in some degree connected with a Bridge upon that river, assure them of my best endeavours to help forward another." Early in 1769 the Magistrates of Banff applied to the Magistrates of Aberdeen to secure the co-operation of their M.P., along with Earl Fife and Mr. Garden of Troup, to induce Government to rebuild the bridge. On 27th February, 1772, Lord Fife writes from the House of Commons: "I have seen the Duke of Argyll and Mr. Skene [Commander of His Majesty's Forces in North Britain] this morning. They both assure me that something will be done to our Bridge this year, and that Mr. Smeaton has given it as his opinion that it ought to be built just the breadth of itself further up than the former one was." Lord Fife built his gate houses near the bridge in 1777. The new bridge was designed by Smeaton, and is said to have cost from £8000 to £10,000, which was defrayed mainly by Government. It is a handsome structure of seven arches, and 410 feet in length. Only the foundations of three of the middle piers and one end pier of the former bridge were standing when the new bridge was begun to be built, but the stones and material were still lying at hand. The bridge was completely finished on 17th June, 1780. In terms of a resolution of Head Court in 1822 (which see), the management was placed under Trustees appointed by the burghs of Banff and Macduff and certain Road Trustees. In 1866 the bridge was transferred to the management of the Road Trustees of the Counties of Banff and Aberdeen equally. Mr. Willet, C.E., having reported on the state of the bridge, it was repaired and widened in 1881 at a cost of about £1850, of which £626 was obtained from the Bridge of Banff Fund, which Fund had been raised in terms of an agreement made in 1822, while the remainder was contributed equally by the Road Trustees of the Counties of Banff and Aberdeen.

1774.

February 9.—Three or four hundred bolls meal to be purchased.

March 22.—Colonel Skene informs the Council that the estimate for the Roads, &c., in the Highlands of North Britain had passed the House of Commons, but that it might be August till the money was received, therefore to allow Mr. Kyle to begin operations at the Bridge, at the proper season he petitions the Council to advance £200 on account of the bridge.

September 23.—Lord Fife writes agreeing that the common way from Sandiehills to the upper part of the town shall be of the same width as at present, "bounded on the east by my dyke of Fillacap, and the ground left out to the west of the dyke to be understood to be part of the highway, that the said dyke be carried on in a line through Janet Dawson's house, leaving out the corner of said house to the west as part of the street, and I agree if I remove Panton House upon the Low Street to make the front thereof correspond to the line of houses, and that house possess by Lady Gight called Little Fillacap. In the meantime I am to move that small part of my dyke already founded next to the gavel of said Panton House and thence to the pillar of the gate opened to Fillacap, nearly opposite to the Old Lodging, and which piece of dyke is to correspond lineally with the buildings of Fillacap and Lady Gight's House, terminating near the door in the gavel of said Panton's house, but I, and you, for the town, are to have no objections to my completing my pillars and dykes already begun, and I am to do so except with regard to the alteration above mentioned, next the gavel of said Panton's house."

1775.

March 2.—Paid James Petrie and crew 100 merks Sc. for a fishing boat to them, they having bound and enacted themselves as fishers for the town's service in all time coming.*

* Cf. T. C., 1793.

James Alexander has erected a forestair adjoining the south front of his new house at the Kirk Style. He obliges himself and successors to take it down when required.*

March 9.—100 bolls meal bought at 14s. 6d., 8 stone weight per boll, and to be sold at 11d. per peck.

March 25.—“The magistrates and council, considering the great inconveniences arising from great numbers of beging poor resorting from all parts of the country and infesting this town, which becomes very burdensome upon the inhabitants, especially at this time, when provisions of all sorts are very dear, the Council recommend the magistrates to make out a list of objects of charity who may be allowed to beg throw the town, that the Treasurer get badges made agreeable to the patern formerly shown to the magistrates, made by John Argo, silversmith, to be numbered and marked with the figures ‘1,’ ‘2,’ ‘3,’ &c., and with the word ‘Banff’; and the Council prohibite all others from begging in and through this town and liberties thereof, except such as are in these lists and have liberty of wearing said badges, and all others begging to be reckoned as sorners and vagabonds and treated accordingly, and the town’s officers to put out of the town all beggars from the country. The licensed poor to be allowed to beg only upon Saturday weekly.”†

* Forestairs were formerly a prominent feature in this as in other Scottish burghs. They were erected only with the sanction of the Magistrates (see C. B., 1655, and T. C., 1730), who reserved the power of ordering their removal. In 1756 a petition was presented to the Magistrates against the forestair at the heritage of John Milne, sailor. The forestair stood on “the high street leading from the Cross to the harbour, ferry-boat and shore.” The petition set forth that about forty years previously William Miln, proprietor of a tenement on the west side of that street, had erected a forestair leading up to the second story, where the street from the side wall of his tenement to the tenement on the east side was only eleven feet wide. In 1775 James Alexander admitted he had no authority to build the forestair adjoining the south front of his house at the Kirk Style, and would pull it down, when requested by the Magistrates. In the same year James Shand agreed to take down his outer stair on the east side of the High Street if required. He stated that he would only require it for three or four years. In 1792 the Shoemaker Incorporation and Robert Tillary, and in 1794 Alexander Saunders, agreed to remove outer stairs in front of their properties, when required. In the *Banffshire Journal* of 28th April, 1885, reference is made to the disappearance of the last specimen of a forestair in the burgh. It was attached to a house adjoining Mr. Ellis’s premises, and which then belonged to, and was previously occupied by, Mr. Watson, gas manager.

† Similar regulations were made in 1742 :—The members of the Head Court, “considering that the Justices of Peace of this county, as well as Aberdeenshire, have lately made Acts obligeing all the poor in every parish to begg only within their own respective parishes, and that all sorners, vagabonds, and stranger beggars be debarred, whereby the number of poor that haunt this burgh are greatly increased.” To serve the burgh’s own poor, and to keep out stranger beggars, it was ordained “that there be a list made of all necessitous and depauperate persons within this burgh, and that badges of lead be made out and delivered to them by the direction of the magistrates, for allowing them to begg every Saturday throw the town, but at no other time, and that stranger

April 4.—The bailies report eight persons to obtain badges. The inhabitants are ordered not to set houses to or harbour persons who have not any visible way to maintain themselves.

List of licensed poor :—(1) James Sim (he refuses the badge); (2) Isobel Cooper; (3) Robert Anderson; (4) Jean More; (5) Anne Panton; (6) Mary Morison; (7) Jean Petrie; (8) Katharine Fraser (dead, and badge returned); (9) Mt. Wilson.

400 bolls meal to be purchased.

July.—150 bolls meals bought at 14s. 4d.

September 28.—Great inconvenience being felt by the Treasurer of each year collecting the revenues, the Council resolve to appoint a factor or chamberlain at a yearly allowance of £10 Stg.

December 15.—Two boatmen agree to pay 10s. Stg. weekly for the privilege of acting as ferrymen till a service bridge be erected over the River Doveran.

1776.

February 23.—“Regulations anent Bakers :—	lb.	oz.	drs.
The penny loaf wheaten to weigh	-	0	9 4
The twopenny loaf “ “	-	1	2 9
The sixpenny “ “ “	-	3	7 10
The shilling “ “ “	-	6	15 4
The eighteenpence loaf wheaten to weigh	10	6	13

“All the above loaves are to be marked with a large ‘W,’ besides the initial letters of the baker’s name.”

July 30.—Letter from Colonel Morris accompanied with £200 Stg. in a present for the public works of the town, one half to be applied to the harbour, and the other half “towards building a steeple for the kirk bells belonging to the town.” Received also 20 guineas from Mr. Garden of Troup in a present to the Convener’s box.

beggars be imprisoned or punished as the law directs.” Also, “that if any burgesses serve, or resett, any begging poor, except those above mentioned, and at the time above exprest, they shall pay a penalty of 20s. Sc., the one half payable to the informer, the other half to be applied for the use of the poor.” In the previous year the Head Court passed an Act “forbidding heritors within the burgh to set houses to persons coming into the burgh without first giving notice to the Magistrates, and satisfying them, by certificates, with respect to their characters and ways of living, and no servant to be employed without proper certificates of their characters and good behaviour, to be shown to the Magistrates.” Heritors transgressing to be fined 20s. Stg., and masters 10s. Stg.”

Committee named for building the steeple, looking out for a proper site, &c.

Mr. Dirom represented to the Council that in 1768 he had received 100 guineas from Sir Andrew Mitchell as a present to the harbour, and, in 1769, 100 guineas more for building a steeple for the kirk bells belonging to the town.

August 21.—General Abercrombie petitions the Magistrates and Council for feuing out a piece of ground for erecting a Bath on the seashore and rocks to the north of the public road leading by the north wall of the lime-house of Alexander Dirom of Muiresk.

He requires about 20 yards in length and 10 yards in breadth. The site is bounded by the sea rocks on the west and north, and by Mr. John Hay in Montblair's house on the east. The Council fix the feu-duty at 6d. Stg.*

* "1777, November 18th.—By voluntary subscription is now erected under direction of Mr. Kyle, Architect, an elegant bath of salt water, having two separate places and two dressing rooms, &c."

"1794.—The Council see the Bath House is useless for the purpose it was built, therefore have no objection to its being sold."

1818.—William Cochrane has been "at a great deal of expences bringing forward a Bathing Machine to this place in expectations of making a livelihood for himself and family, but has met with no success."

Cf. T. C., 1834.

1852.—"Petition to the Magistrates by the occupant of the Bath House (signed Elizabeth Stratton) to grant the Petitioner a certificate to enable her to supply these parties (strangers, &c.) frequenting the public baths with a little spirits, cordials, or brandy, as many of them are on coming out of the cold bath in a state of shivering with cold and require a stimulant, which cannot be readily got, and your Petitioner on reading the Proverbs of Solomon finds that 'strong drink ought to be given them who are ready to perish.' May it therefore please your Honours to corroborate the wisdom of Solomon by granting your Petitioner a license or certificate to enable her to fulfil the above-quoted command, and by doing so you will thereby improve and advance the interests of this burgh, over which you so ably preside, by benefiting an institution whose great advantages the whole community profit by, and your petitioner shall ever pray."

"The gas-house is established in a building intended for a bath-house, having in connection with it a large assembly room. The erection was never finished on its original design; but an establishment serving all the good purposes intended has been secured in the edifice a little further west, literally built upon the rocks, and whose foundations are washed daily by the rising tide. In 1870 a public company erected the seaward section of the building, which was used simply as providing ordinary hot and cold sea water baths. Mr. Ferguson, who had large experience as a hydropathist, was induced to undertake the management of the baths, which he subsequently acquired, and they soon became the resort of numerous strangers. For the accommodation of visitors he also undertook the erection of the large three-story building immediately in front of the bath-house, the extensive use of which has since, during both summer and winter, justified the enterprise." ("Banff and Neighbourhood.")

Mr. Peter Ferguson, who was previously a railway porter at Alexandria, near Dumbarton, died in March last, after successfully conducting the Marine Hydropathic for many years. The establishment is at present (October, 1891) unoccupied.

The burgh contributes ten guineas towards building a house for a Cold Bath.

November 27.—The burgh offers a bounty (over and above His Majesty's bounty) of two guineas to every able seaman and one guinea to every ordinary seaman who shall betwixt and 31st December voluntarily enter the Navy.*

December 18.—As the town and neighbourhood appears presently infested by a gang of housebreakers and thieves, several houses having been of late broken into under cloud and silence of night, it therefore becomes necessary to the Magistrates and Town Council to call out the burgesses and whole other residents in the town liable to watch and ward† to discharge that part of their duty. When the town clock strikes ten, the Captain is to call over his guard, and absents will be fined 5s. Stg., unless a sufficient substitute is sent. The guard to be on duty from 10 p.m. till 8 a.m. At 11 p.m. and every hour thereafter the Captain is to detach two patrols of two men each to go through the town different ways to see that everything is quiet, and on their return to report to the Captain.

1777.

The cisterns of the town's wells being in disorder, a plumber is to be sent for from Aberdeen or elsewhere.

Paid for oil, &c., to the lamps last winter, £176 11s. ‡

At a general meeting of the framers of the Corn Bill, the provost of Banff, *inter alios* present, it was agreed that when the price of oatmeal comes to 11d. the peck at Edinburgh, which will be from 9d. to 9½d. in this country (the meal being from 1½d. to 2d. lower on the East coast

* The burgh sent a levy of seamen to join the navy in April, 1692, at a cost of £224. The items of cost included "Expenses of fyve men on the road for eight dayes £12, shipping of thrie men at Newhaven £4 4s., to the jaylors at Leith 28s.," &c. Bounties were also offered by the burgh in subsequent years (Cf. T. C., 6th July, 1779; 1st July, 1790; 20th February, 1793; and 27th April, 1795). A note in the burgh records of date 1795 bears that in pursuance of an Act passed in the 35th year of His Majesty's reign—an Act for raising men for the service of His Majesty's Navy—seven men went voluntarily from the burgh of Banff, each receiving twenty guineas of bounty. Five of the seven had "their place of lawful settlement" in the parish of Rathven. Their ages varied from seventeen to thirty-six years, and as to occupation three were labourers, one was a weaver, one a flaxdresser, one a fisherman, and one a seaman.

† "Watching" or "walking" was the service by night, "warding" the service by day.

‡ Cf. T. C., 1784, 1791, and 1795. In 1801 there were 73 street lamps.

than at Edinburgh, and as much higher on the West coast), then the ports should be opened for the importation of oats and oatmeal, and when opened to continue open for three months at a time.

1778.

The Council resolve to convert the present Shambles into a meal market, a meal market being required,* and to build a new Shambles upon the Shore Head.

April 16.—The Council promise to aid the Duke of Gordon's proposal to raise 2000 fencible men for the defence of the country, who shall never be sent out of the country, and who shall be clothed, armed and paid by the public.

May 23.—Two hundred of His Majesty's troops are now quartered in the town. Their commander, Captain McKenzie, demands that a supply of meal be provided them. The Council agree to purchase a quantity not exceeding 100 bolls.

June 4.—Provost Duff paid in to the Treasurer £100 Stg. for building the kirk steeple, which had been lodged in his hands on 30th July, 1776.

August 18.—The Council allow the water of the upper or westmost spring at Painted Effie† to be conveyed to the Brewery.

"The Council resolve to erect a new Slaughter House and shops for selling flesh upon the shore to the northward of the churchyard, and that the Slaughter House be on the east side, so as to be kept clean by the tide."

Provost Duff paid the 3000 merks due by him on account of Winchester's Mortification.

1779.

The Council resolve to take in feu from Provost Dirom the waste ground in Bridge Street for a Guard House.

* Cf. T. C., 1793.

† One can scarcely fail to note the numerous localities about the burgh named not merely *from* persons, but *as* persons, *e.g.*, "Guthrie," "Lusy Law," "Painted Effie," "Snapie Logie." Animals have also furnished not a few names to localities: "The Dogie's Lough" and "The Dogie's Pott" [in the Dawhaugh], "The Goose Haugh," "The Gled's Green," "The Dae's Wall" [=Jackdaw?], "Loch Laverock," &c.

February 6.—A letter read from Earl Fife, in which he states that the old church having been declared ruinous, and there being great difficulty in procuring a stance for a new church, he was agreeable to convey a piece of ground in Little Fillacap. He also agreed to leave open for the inhabitants the fresh water spring flowing from the hill of Down. The Earl requested (1) that the Gaas (on which he has a servitude and a property, on the back of the Bar), be fenced out to him, also a small piece of ground on the west side of Doveran below the Bridge; (2) that the Council give off a small piece of street, viz., 40 ells, going from John Keith's house towards the Old Lodging,* that they shut up that road, and, in its place, that the Earl should on his own expense open a more commodious road for the public through the Fillacap, past the south side of the proposed church.

The Council agree to grant the Earl the Gaas (from the Bridge northward to the marches set by the Magistrates and Council), also that part of the ground on the west side of the river, immediately below the Bridge, in excambion for that piece of ground on Little Fillacap, having the Back Path on the north, the High Street on the west, the new road through the said Fillacap on the south, and the remainder of the said lands on the east, as also that other piece of ground having the said Back Path, and consisting of 86 feet 3 in. on the north, the ground above-mentioned and consisting of 109½ feet on the west, the remainder of said ground and consisting of 80½ feet on the south, and the tenements of Lord Fife's and consisting of 118 feet on the east, and that in payment to the town of £42 Stg.; that the first piece of said Fillacap is for a new Parish Church, and, in place of ground rent, to reserve for the use of the Magistrates and Town Council the two front pews of the loft, each 20 feet long. †

"Some years ago Mr. Dirom, having obtained a right to the Butts of Banff, opened a street from the High Street through his own garden and

* The "Old Lodging" was formerly the property of the Airlie family, from whom it passed, with lands and fishings, to the ancestor of the Duke of Fife when he began to purchase property in this district at the close of the seventeenth century. It is said to have been the head quarters of the Duke of Cumberland's army on the way to Culloden. It was inhabited in 1759 by William Leslie of Melrose, Dr. Strachan, and Mrs. McPherson, who each paid a rent of £8 6s. 8d., and afterwards by Mr. James Duff, Sheriff Clerk, &c., but appears to have ceased to be inhabited prior to 1779, for in that year "the wood of the old Lodging was sold for £59."

† "The Colly Road is now shut up, and all communication with the town of Banff blocked up, except from the gate at the bridge, and where the new gate is to be." (Extract from letter 19th March, 1779—Rose Letters.)

the Butts towards the New Bridge, and feued a stance of houses there-upon with considerable profit to himself."

July 6.—The Town Council agree to give a bounty of three guineas to every able-bodied seaman, two guineas to every ordinary seaman, and one guinea to every able-bodied landman within the royalty of Banff who shall voluntarily enter into His Majesty's service in the Navy betwixt and 1st October next.

1780.

A petition presented from several heritors and feuars upon the side of the river, and near the mouth thereof, setting forth the dangers their heritages are exposed to by spates and floods in the river, and by inundations from the sea, and praying that bulwarks and fences be erected.*

The Council resolve to build a fountain house at the spring of Painted Effie.

August 17.—"The Council, considering the present defenceless state of the coast, and the hazard the town and shipping in the harbour runs from the number of French privateers† presently on the coast, and Captain Fraser, Engineer for Scotland, having lately visited the harbour and grounds in the neighbourhood, and having given it as his opinion that a battery of six or eight eighteen-pound cannon placed upon a

* Lord Fife protested against the formation of an embankment, if made so that buildings could be erected on it, as it would injure his fishings, alter the mouth of the river, and drive it to the middle of the Bar, flood his park and house, and the lower part of the town.

† In 1777 the Magistrates of Banff informed the Admiralty of an American privateer, the *Tartar*, seen on the coast of Scotland. The Lords of the Admiralty replied that they were much obliged for the information, and they hoped the cruisers would fall in with said privateer. The *Tartar* was a Boston vessel of 24 guns, and had taken several ships, whalers, &c. It captured the *Royal Bounty* of Leith, and put the crew, thirty-six in number, together with nine men of the *Janet*, of Irvine, which it captured on 8th August, 1777, ashore in Banff bay. In 1781 James Whyte, master of the *Anne*, of Banff, was captured off Troup Head while on his way to London, by a Dunkirk privateer, of eight or ten guns, commanded by Patrick Dowling. The master and crew and several passengers were stripped of everything they had, and left with only some old, ragged clothes on their backs, and, after Mr. Whyte was cruelly beaten and maltreated, the ship and cargo were ransomed for 500 guineas, and the men let go. At ten o'clock on 26th June, 1781, William Chalmers wrote from Gardenstown to the Town Clerk of Banff that a large schooner had come into the bay, that she had fired seven shot, and brought to three sloops, and a brig, "which we think is the *Ann*. The schooner and three sloops and the brig are about three or four miles off just now." Lord Fife writes from Whitehall regarding the *Anne*: "I hear White's ship is taken, in which was all my clothes and the whole provisions for my family in the country, with many other things. I never saw anything so unlucky. The villainous Robertson to give me a bankrupt note for my expense, and now the Dutch to take the summer's provisions." (Rose Letters.)

battery to be erected at the north end of the Seatown lands would effectually protect the harbour and bay as well as the town, the Council therefore recommend to apply to Government through General Mackay, Commander-in-Chief in Scotland, for the necessary cannon and implements for mounting the said battery, and for a few matrosses to work the cannon. They also thank General Mackay for the protection afforded by the detachment of the Sutherland Fencibles sent here."*

1781.†

February 23.—A letter to be sent to General Mackay, putting him in mind to have at least two companies (200) of soldiers quartered here during the summer for the protection of the town and harbour, as both are so very much exposed to the depredations of the enemy.

March 30.—Captain Marr has planned a battery with nine embrasures to be mounted with cannon, with 18 lb. shot. The Council resolve to carry the work into execution, considering that at present the nation is engaged in war with the Americans, French, Spanish and Dutch, and that this coast in particular must be very liable to the inroads of the Dutch, who are well acquainted with it.

The Town contributes £40 to the Trades for building their public hall, on condition that the Magistrates and Council shall have access to it, when they have occasion for public meetings or public entertainments.

* Among the burgh records are about a hundred papers and workmen's accounts connected with the battery, also a "Book for recording the Minutes of the Committee for erecting a battery of cannon, storehouses, &c., May, 1781." The Committee agreed with John Rhind and James Robertson, masons, for erecting dykes, making beds for the guns, and with other masons for building the Guard House. Five hundred-weight of cannon powder was ordered, and "one of the best telescopes or spy-glasses is commissioned from London for the use of the battery." [A four-foot telescope was purchased for £3 13s. 6d.] In the year 1782, 426 of the inhabitants were declared fit to bear arms, and of these 23 intimated their willingness to be trained to work the great guns at the battery.

The battery was dismantled in 1815, and the only gun now on the ground is a trophy from the Crimea. The site is now used as a Coastguard Station.

† [July 15, 1781. Intimation is made from the "latron" that the public statute work upon the roads to and from this burgh is to be begun this season on 19th July, on the road from the town to Boyndie, and that all inhabitants liable must attend, or send a sufficient person for three days, or pay ninepence each as composition, and all persons having horses or carts to send the same, or pay 2s. Stg. On 27th August, 1780, a list of forty-seven persons liable was read from the "latron." In 1778 the work for the season did not begin till 18th October. In 1776 the list—ten persons—required for a certain day included two tailors, a slater, a butcher, a carpenter, &c.]

December 21.—Expense of building the battery £340 Stg., inclusive of five barrels powder, &c. Government supplied two cannon of 18 pound calibre and four of 12 pound.

Directions about quartering the Military:—"The Council direct that all publick brewers, all keepers of publick houses or retailers of ale, beer, wine, or spirituous liquors, and all victuallers and bakers, butchers, gardners and barbers, who are presumed to be more immediatly benefited by the soldiers, shall have stated and constant billets upon them before any of the other inhabitants, and house keepers shall be quartered upon, and that none of the above shall have under two and others more according to the extent of their trade."

The Town Council resolve to sell the late Guard House.

1782.

May 14.—Copy of a letter read from Captain Nasmith, Captain of the Alderney, sloop of war, giving information that there sailed from the Texel on the 5th inst. a Dutch squadron, consisting of nine sail of the line, three frigates, a snow, and cutter, and that they were seen at single anchor off the Helder.

Letter of 8th inst. read from General Mackay to the Provost, urging that the inhabitants be forthwith instructed in working the guns. General Mackay also sends instructions as to the battery.

June 6.—The Council resolve to purchase 400 bolls of meal, at 12s. per boll.

August 10.—Too much meal having been purchased, 300 bolls are to be sold off.

December 28.—The Council, considering the present scarcity of meal, and all kind of grain, and the absolute necessity there is for supplying the town with grain, without loss of time, and as a cargo of barley and grey pease may be had at Sandwich at 32s. per quarter, they resolve that the ship "James and Margaret" of Banff, George Lovie, master, be sent for it. The Magistrates are also empowered to purchase 1000 bolls of meal, if possible to be had in the country, to be applied entirely for the town's people. The Council, considering the present distressed situation of the poor from the high price of grain, order £10 10s. to be distributed for their immediate relief.

1783.

January 17.—The Directors of the Bank of Scotland and the Directors of the Bank of Aberdeen, having taken into consideration the calamitous state of the country occasioned by the present scarcity and high price of corn, and desiring to show their regard to the interests of those towns where they have branches, resolve to accommodate the town of Banff with the loan of money up to £500 from each bank for twelve months, free of interest, to purchase corn for the relief of their poor. The offers are accepted.

Mr. Reid lodged with the Provost an obligation to pay £130 Stg. towards the town's funds upon being appointed to the office of town clerk.

February 10.—Keith Urquhart, Sheriff Depute, was called up in his place at the Circuit Court at Aberdeen to be told by the Judges that a petition had been given in by a civil debtor, then a prisoner in the tolbooth of Banff, to be removed to Edinburgh on account of the very wretched accommodation at Banff, and that they desired to know from him the state of the prison. He informed them that the prison consisted of three vaulted apartments, two of them small and without any fireplace, intended for common felons, but that the third, intended for civil debtors, and where even felons were put when no civil debtors were there, was a pretty large apartment, with a fireplace, about as large as an ordinary kitchen; that one of their Lordships said it was not intended that prisons even for civil debtors should be the most elegant or the most comfortable places, it being reasonable that debtors should be induced by the *squalor carceris* to take the readiest methods for satisfying their creditors, but that prisoners ought not to be wretched beyond measure, and in particular that their health ought not to be endangered by cold. The Council cause an account of the state of the prison to be sent to the Lords of Justiciary.

A letter is read from the Lord Provost of Edinburgh as preses to the Committee of Royal Burghs, who, considering the alarming scarcity of grain, had requested Mr. Hunter Blair, M.P. for Edinburgh, to convene the other M.P.'s for the Royal Burghs now in London to consider what should be done. The Town Council urge General Morris, their M.P., to take action.

March 27.—170 quarters of barley and 70 quarters of pease received by the town; also 453 quarters of oats from Stockton, and bread and flour from London. The grain is to be manufactured in the following proportions: 70 qrs. pease, 100 qrs. barley, 100 qrs. oats, to be proportionally milled together, which will yield about 510 bolls meal. This mixture to be sold at 1s. per peck. Another mixture is to be 150 qrs. oats and 72 qrs. barley, which will yield about 294 bolls meal, and to be sold at 1s. 2d. per peck.*

* All contemporary records show that few greater calamities have ever befallen the North of Scotland than the famine of 1782-1783. One great cause of the distress was the high price of grain, but a more serious cause was that grain could scarcely be procured at all.

The Countess-Dowager Fife thus writes to her son—Lord Fife—from Braco, in the parish of Grange: "October 10th, 1782. Think what a situation I am in, servants calling for bread and none to give them!"

The Laird of Edinglassie thus writes: "2 March, 1783. There is neither meal, pease, or sowens seeds to be got within a score of miles of this house, and my family needs a supply of all. Some of my poor people in this corner are already in great strait for meal to subsist their families."

Mr. Milne, Chappelton, writes to Mr. W. Rose: "14th December, 1782. I cannot tell you what I felt when calling on several tenants, who had neither seed nor bread. The tenants must go to ruin, if the heritors does not grant them greater indulgence than can be looked for."

These extracts from the Rose Letters may be supplemented by two others written by Lord Fife:

"London, 11th March, 1783. This state of the country has made me a notable corn merchant. I am quite fit to enter into business."

"London, 8th Feb., 1783. I have been in the city about corn from eleven till five o'clock. I never thought to trudge about buying, or to be so anxious about corn. I went to the corn factor myself, and talked over everything."

The Trades of Banff presented the following Address to his Lordship for his strenuous and successful exertions in behalf of the town:—"My Lord, We, the Representatives of the Trades of Banff, beg leave to address your Lordship on your safe arrival—to acknowledge with the warmest emotions of Gratitude, the great attention and concern you have taken to prevent a scarcity in this corner; and to own the grateful feelings they have of the many benevolent and generous actions done for them in this most distressing year. The wise methods your Lordship has taken for *their*, and the relief of this Country in general—have been immediate and most effectual. Every measure you have directed in this most necessitous time, shows forth your Goodness and declares you the Parent and Protector of this Country in her great distress. The Trades hope that your Lordship will be graciously pleased to receive *this*, the only acknowledgements they can show of their good wishes and hearty thanks for the exceeding great favours you have conferr'd upon them, and sincerely pray that God Almighty may grant your Lordship health and long life as a blessing to all around. We are, My Lord, your Lordship's most devoted, much obliged, humble servants, William Byres, Will: Taas, Alexr. Mackie, John Lyon, Archibald Smith, Willm. Wilson. Banff, June 4th, 1783."

Lord Fife apparently did not wish to lose the credit his laudable exertions deserved, as the following in his own handwriting shows. It is endorsed "Copy of what Lord Fife wanted to put into the News. Dec., 1782":—"Sir, I had occasion lately to go through some part of Lord

Troup presents 20 guineas to the poor of the town.

August 15.—The Council consider the plan for application of the public money in the hands of the Trustees for Fisheries, Manufactures, &c., in Scotland, and represent to the Board of Trustees that for a considerable part of the year, particularly in spring and summer, the herring run in vast shoals along the south side of the Murray Firth, and particularly off Troup Head, where they are in such quantities that the fisher boys, by tying of two or three hooks back to back and sinking them so far with a stone, upon pulling the hooks up again, catch herrings, and except in that way no herrings are caught near the mouth of the Murray Firth upon the south side, owing to the total ignorance of the people upon that part of the coast with respect to herring fishing; and the Council are of opinion that if proper trials be made, and the people upon the coast taught the method of fishing for herrings upon a bold shore, the herring fishing upon this coast may soon become a national object. The Council are of opinion that as the Linen Manufacture has now made con-

Fife's estate, and I was very happy to find that his Lordship had caus'd inspect every farm upon his estate, so as to know the true state of the farmer's crop, and had directed from that the payments to be made convenient for them, that he had order'd meal to be lodg'd in the different parts of his estate for their supply, had undertaken to furnish at convenient places good seed to all those who wanted. I really thought this so laudable that I could not but desire you to communicate it." (Rose Letters.)

Lord Fife addressed the following letter to the Convener of Trades, Elgin: "Duff House, 30th December, 1782. Sir, In the present distress of the County I consider the towns and the Highlands as the places that require most attention. I have several hundred familys on my estate that are in the greatest distress for meal and seed, and several villages in the same situation that I have undertaken to provide for. I wish as far as in my power to extend this to Elgin, and I have directed my Factor the first of my Farms that are pay'd in to send in a weekly supply for the Trades and Labourers and to be sold at one shilling a peck. I hope you will be so good as take the trouble to see that it is sold only to those. My Factor shall also have orders from me to attend every meeting that can forward any plan to supply the town and to bring down the price in the market. Was I not oblig'd to set out for London I should certainly attend myself. I am, Sir, your humble servant, F."

The following circular letter shows what assistance was granted by Government towards allaying the distress:—

"Reverend Sir,—The Lords of the Treasury having directed the Barons of Exchequer to draw for 10,000 £. to be employed in assisting the Poor in the Highlands and northern parts of Scotland, in this time of scarcity, I am commanded by their Lordships to desire, that you will, with all possible dispatch, call a meeting of the Heritors and Elders of your parish, and make up and transmit to me the number of your poor upon your poors roll, to whom you are giving Charity; the funds you have or expect to raise for their support; the additional number of poor that you think ought to receive assistance, if your funds were larger; and, upon the whole, what number

siderable progress, the teaching of drawing and particularly patterns for the manufactures would not only aid the linen manufacture, but would otherwise be extremely useful in this part of the country. The Council add that Rev. C. Cordiner, minister of St. Andrew's Chapel, is in every way qualified to teach drawing, and may be induced to open a school for that object.

August 30.—The mixed meal is now sold at 1s. per peck, and the bear and pease meal at 10d.

September 25.—The Town Council give orders to sell off the meal and grain still on hand to the best advantage, also the powder in the magazine at the Battery.

1784.

January 31.—The Town Council resolve to purchase farm meal of Rosieburn at 17s. 6d. per boll.

May 7.—120 bolls meal to be purchased from Provost Dirom.

of bolls of meal you think will be sufficient, in addition to the funds you have and expect, to afford a reasonable support to those who cannot contribute to their own maintenance by their labour, and to those who can only contribute in part, till they can be relieved by the crop of this year.

"The object of this enquiry is to enable the Barons, to direct the distribution of the meal and grain, to be purchased with the money, in the manner that will best answer the humane purpose intended; and therefore, it is hoped and expected, that a true state of the wants of the parish will be returned.

"The Barons intend to apply part of the money in the importing grain from the Baltic; but being informed, that an immediate supply is wanted in many parishes, they have purchased a quantity of bread-meal, barley, and white pease, and have directed them to be carried immediately to the ports, in the proportions under stated, and to be distributed by the Sheriffs of the respective counties within which the ports are situated. I am, Reverend Sir, Your most obedient servant, William Anderson, D. Clk. Exchequer Chambers, Edin., June 21, 1783."

COUNTIES.	PORTS.			MEAL. <i>Bolls.</i>	BARLEY. <i>Bolls.</i>	PEASE. <i>Bolls.</i>
Caithness,	Thurso,	—	—	200	200	100
Sutherland,	Dornock,	—	—	300	200	200
Ross,	Dingwall,	—	—	300	300	200
Inverness,	Inverness,	—	—	500	300	200
Nairn,	Nairn,	—	—	200	—	100
Aberdeen,	Aberdeen,	—	—	500	—	200
Banff,	Portsoy,	—	—	300	—	—
Elgin,	Lossymouth,	—	—	300	—	—
Orkney,	Kirkwall,	—	—	500	—	—

May 27.—112 bolls meal to be purchased from Andrew Hay of Mountblairry at 18s. per boll.

Three lamps to be erected in the Seatown, making 41 lamps in all in the town.*

1785.

July 26.—The Provost has drawn up a Memorial and laid the same before the Convention of Royal Burghs requesting their aid in an application to the Lords of the Treasury for having a Custom House established at Banff, which would be of great advantage and benefit, not only to the burgh but to the whole coast adjacent, considering the great distance that this place and the other seaports to the eastward and westward are from Aberdeen and Inverness, and the great expense and trouble in sending to these places for coast permits and clearances for their vessels.†

* Cf. H. C., 1786, 1799, and 1831.

† The agitation for a Custom House at Banff illustrates the state of trade at that period : The Memorial represented that there was no Custom House nearer to Banff than Aberdeen and Inverness, distant, by the coast, respectively 76 and 78 miles, that this had been a great inconvenience and expense to the very considerable manufactures carried on in this district, and in inland towns and villages, as well as to the white fishing business. "The expence of reporting a vessel loaded with flax from a foreign port where no duties are payable will cost the merchant 30s., besides the fees at the Custom House and the expence of bringing the officers from Aberdeen to unload it, and oftentimes five or six days elapse before the officers arrive, by which means the manufactures have lain idle for want of flax." A vessel coming coastwise with native salt, upon which the duties had been paid at the loading port, could not discharge her cargo unless the master first went to the Custom-house and reported her, and thus the salt sustained great waste, &c. "In the coasting trade, in the case of a vessel going coastwise with a cargo to a neighbouring creek, the merchant is under the necessity of sending an express or must wait the return of post before he can load or unload the cargo." "The salmon fishing, which has of late become so great a branch, particularly kitted salmon for the London market must, before it be sent off, have permits and clearances from the Custom-house, and being a perishable commodity is in hazard of being totally lost by such delays. The fishermen carrying cured fish coastways to market in their open boats cannot proceed without first obtaining permits and clearances from the Custom-house, and either going or sending some one at above the distance of 50 miles, and detaining them four or five days, which brings on an expence which their small cargoes of fish cannot bear or afford ; and in the event of their bringing five or six tons of coals in return for their fish, they are obliged to pay fees and observe the whole other forms at the Custom-house the same as a vessel of 60 or 80 tons burthen. The importation of wine, which sometime ago was considerable upon this coast, is now entirely stopped, owing to the importer or merchant being under the necessity of going such a distance to the Custom-house to make oath as to the identity of the wine before he

1786.

The Provost laid before the Council a petition from Lord Saltoun and the merchants in Fraserburgh, addressed to the Postmaster-General, for having a foot post established between Fraserburgh and Banff. The Council resolve to co-operate.

February 25.—On receipt of a letter from the Lord Provost of Edinburgh, the Council resolve, to write their Member of Parliament to support a measure for having a fund of £7000 established for the encouragement of the growth of flax and hemp in Scotland.

can obtain a permit or *transire* even to send a cask but a few miles distance by land carriage, which is a burden and expence, considering the high duties, which he cannot afford." . . .
 "With the small depth of water in most of the harbours and creeks, vessels when loaded can only get out and in upon spring tides, which often obliges them to be sent out to the Road until he obtain a clearance and permit for her proceeding, then storms often arise when there and the crews and cargoes are lost. Last spring, owing to a failure of the crop in Norway, when there was a demand for seed from this country, several vessels, after being loaded with grain, before they could obtain their clearances from the Custom-house, were neeped in the harbours, by which means the grain was damaged and the market lost." The Memorial, after stating that a Company had been formed in Banff for prosecuting the herring and white fishing business, represents that a Custom-house would increase the public revenue, suppress any remains of smuggling, be a great convenience, and save expence to the fair, industrious trader.

Another Memorial from the Magistrates and Merchants of the district was drawn up in March, 1787, praying for a Custom-house nearer than Aberdeen, and showing how the inconvenience was increased by there being only three posts a week to Banff from the south, of which one arrived on Wednesday evening and the next not till Saturday evening, and how the late duties on chaises and carriages had obliged many persons to give them up, and that no mail coach ran north of Aberdeen.

An official report to the Commissioners of H.M. Customs was drawn up in January, 1787, by David Reid and others. From this report it appears there was no trade at Portknockie, either foreign or coast. At the creek of Buckie there was no foreign trade, and only 14 vessels cleared inwards and outwards coastwise at that place for the six years preceding, the total tonnage of which amounted to 345 tons, or about 25 tons burthen each vessel. At Garmouth-on-Spey there were only 11 vessels inwards and outwards from and to foreign ports during the six years preceding, in 1783 and 1784 there were none to foreign parts, in 1785 there was not a vessel to or from foreign parts, and in 1786 only one vessel outwards to foreign parts, so that the foreign trade at the last mentioned creek was next to nothing, seeing the wine trade was now given up, which, when it did exist, was a very fraudulent business. As for the coasting trade at Garmouth-on-Spey, the greatest part of the vessels arriving there were fishing smacks, bringing the necessary articles for the fishing—coals and salt—and carrying away salmon and some wood. The Report recommended two deputies at Banff, costing £100 a year, but not a separate establishment, which would cost £500 or £600 a year.

T T

The Council agree to allow £15 towards paving Bridge Street, provided the remainder of the necessary funds is raised.

June 23.—The Magistrates and Council, considering that the deacon and other members of the Shoemaker Incorporation had admitted two tradesmen into their Incorporation without their being burgesses or freemen of the burgh, or without reporting them to the Magistrates, in order that they might have obtained Burgess Acts and liberty for incorporating with the Trade, and the present and late deacon appearing and confessing they had done wrong, and promising to exercise greater care in future, the Incorporation is fined 20s. Stg. The Weaver Incorporation is fined 5s. for a similar offence.

John Forbes of the Custom-house, Aberdeen, reported in 1786 that no duties for wine were paid at Portsoy, or any of the neighbouring creeks, except when vessels were forcibly carried in by ships employed in the Revenue service.

From January, 1785, to June, 1786, the revenue paid at Fraserburgh, Down, Banff and Portsoy, was £1356, of which £735 was paid for wine, and that on ships, all of which were brought into port by revenue vessels. During that time 191 barrels of cod-fish and 142 ankers were exported from said ports. From 1st January, 1785, to 24th April, 1786, 4042 matts of flax (100 lbs. each) were imported at Banff and Portsoy, all from Holland, and 8 casks 119 hhds., and 44 bags of lintseed.

In 1788 the Barons of Exchequer reported to the Lords of the Treasury that the revenue officers were unanimously adverse to establishing a Custom-house at Banff, that the Convention of Burghs were in support of it, that the trade is not such, nor likely thereby to be such, as to justify its establishment. They propose, however, that two officers be stationed at Aberdeen to enter and clear all foreign and coast vessels, except cargoes of wine, at all creeks, &c., north and west of Rattray Head.

Another Memorial was drawn up in April, 1791, representing that including Fraserburgh and Lossiemouth and all intervening fishing towns there were about 80 fishing boats, employing upwards of 500 men, that "the export of grain from this part of the country has for upwards of a century past been more considerable perhaps than all the rest of Scotland," that the trade embraced salmon fishing in the Spey and the Deveron, a vast quantity of wood brought down the Spey and carried coastwise for supplying the country, and the chief materials used in the hemp and linen manufacture, imported from the ports of the Baltic and from Flanders and Holland.

A Deputation was granted in 1792, but this was not deemed sufficient, for the Statistical Account of 1798 names the want of a Custom-house as the chief commercial disadvantage of Banff, adding: "At present no goods can be shipped or landed, nor any vessels sail from this port without procuring the usual permit from the Custom-house at Aberdeen, a distance of forty-five miles. To obtain the permission of unloading, the shipmaster, after the dangers and fatigues of a sea voyage, has generally to encounter what to a seaman is often no less perilous and fatiguing, the labours of a land journey on horseback."

The trade of Banff district subsequently justified the establishment of a Custom-house, with jurisdiction from Fraserburgh to Garmouth, for in 1836 were registered at Banff Custom-house 67 vessels, with a total tonnage of 4301 tons, and in 1834 were exported from that district 132,377 quarters of grain alone.

1787.

March 8.—The Council send a memorial to the Postmaster to have six posts weekly to this place, and to have a mail coach from Aberdeen northwards.

October 10.—The Council offer a reward of 10 guineas for the discovery of the mother of the two male children—apparently twins—exposed at the house of William McIntosh, vintner, upon the night betwixt the 4th and 5th inst.

1788.

December 24.—The Council resolve to take a proportion of the new Church, equal to the sum of £400, said proportion to be sold to the heritors and inhabitants.

1789.

February 19.—The Council send £5 as a gift to the Managers of the Relief Church for the use of their Church to the inhabitants last year, also £10 for the use thereof till Martinmas next.

February 25.—An agreement is made with Mrs. Gordon for widening the top of Bridge Street, so as to make said street all of the same breadth.

March 13.—The Council send an address to the King, congratulating him on his recovery, said address also to be inserted in the *Edinburgh Evening Courant*, *London Chronicle*, and *Aberdeen Journal*, and the Council appoint a general illumination in the whole houses within this burgh this evening, in order to express their satisfaction upon the happy event of His Majesty's recovery.*

* Many letters could be quoted to show the genuine expressions of joy on this occasion. One of these may be given—from Lord Fife to Mr. William Rose, his factor at Banff—as it possesses some features of interest: “Whitehall, March 10th, 1789. I wrote you of the two gracious messages the King sent me last week. He had a levee Saturday, and at the time he was seeing everybody this infamous papers was alarming the country that he was ill. I went down yesterday. He had most of the Privy Council with him from ten till near one o'clock. I saw the Queen, who was vastly gracious to me. I rather wished to avoid troubling the King, but only to see him. A little before one o'clock he came out and mounted his horse, which he had not done since October. I need not hint to you how my heart warmed when I saw him. I went to the other side of the road rather to see it and not be seen. His eye caught me, and he directly called out before all the people that was there: ‘Lord Fife, I am glad to see you. How do you do? Come forward. I am really glad to see you, and I hope you are quite well.’ All this I bore as became me with grateful thanks. He then called out, ‘Lord Fife, you are no gambler. You are

April 24.—The Council resolve to set the Bleachfield for seven years. The Council authorize Baillie McKilligin to purchase four blunderbusses for the use of the town.

1790.

June 28.—Copy of the testament of George Smith, late of Bombay, now produced. He died on board the "Wintertown," on the passage from Bombay.

The Council agree with John Rhind to causeway the Back Path and part of the High Street, from the south-west of the New Church to the Shoemakers' new house, for £67 2s. 9d.

1791.

June 2.—A meeting held for making a division of the new Church.

June 3.—The Council order the shop door of William Argo, blacksmith, to be locked up, and he stopped from exercising his trade as a blacksmith, until he enter himself as a member of the Hammermen Incorporation, and that he be brought before the bailies for contempt of their authority.

July 9.—The Magistrates and Council, taking into their serious consideration the very alarming situation and state of this burgh by the epidemical and infectious fever presently raging, whereby many of the inhabitants have been taken off and died, appoint a Committee to assist such of the inhabitants as may be seized with such fever, and to take other measures in reference thereto.

no rat.' I then forgot all distance between King and subject, and went up and took him by the thigh on horseback, prayed the Almighty God to bless him, and I aded, 'Yes, Sir, I am a gambler at this moment; the greatest stake I have is on that Horse, and, for God sake, take care of it, and don't ride too hard.' My eyes wer full of tears. He thanked me and aded, 'I will take care of number one. You have been good to number one.' He then called for the different Park keys, and took these where he intended to ride, giving directions. All this was publick, so it did me more honor than if it had been in his closset. I saw Sir George Young, who was with him after he returned from his ride, and he was exceedingly well. Indeed his whole appearance astonished me. I never saw him look better . . . The King has ordered all the Foreign Ministers to attend him to-morrow. You see what a share I have of the second sight by not desponding. Lord Dover is to have Lord Lothian's gold stick, and Lord Delawarr to be Lord of Bedchamber in place of the Rat Queensberry, who ran to France. This shows you that Dukedoms, great fortune, and ribbons does not secure esteem, unless honor and virtue attends them." (Rose Letters.)

September 21.—George Pirie agrees to supply the public lamps with oil, and to keep two men for lighting the same, at the rate of 10s. 6d. Stg. for each lamp. [1792, April 16. Paid George Pirie £34 3s. 3d. for lamps and lighting.]

1792.

March 8.—The Provost laid before the Council a letter he had received from the Rev. Mr. John Skinner, Bishop and preses of the Committee of the Scotch Episcopal Church, requesting that the Magistrates and Town Council would petition Parliament to relieve the members of that Church from the peculiar restrictions they are under in the exercise of their public worship. The Council were unanimously of opinion that the Episcopal Clergy in Scotland, and those who attend their worship, are loyal subjects to His Majesty and Government, and peaceable good citizens, and that they deserve every degree of lenity from the Legislature, and therefore appoint a petition to be drawn up and signed by the Provost in name of the Town Council and community of this burgh, and transmitted by him to the Member to be presented by him for obtaining such relief for the Episcopal Congregations as the wisdom of the British Legislature may see most expedient.*

The Council also petition Parliament for the abolition of the African Slave trade.

June 15.—Letter read from Mr. Brodie, M.P., intimating that a Deputation for a Custom House had been granted. The Council send thanks to him, and ask him to endeavour to obtain the deputation to include Lossiemouth and Rattray Head.

John Rhind agrees to pave the Strait Path for £12 5s., making a regular slope from the corner of the well at the head of the Path to the corner of the Tolbooth at the foot, being 420 yards, at 7d. per yard. Also to pave the Water Path for £22 16s. 9d.†

On petition of the town's officers, the Council order a pair of red breeches additional to be given to each of them once in two years, also an additional pair of shoes yearly.

* Other burghs, including Elgin, Dingwall, &c., petitioned in similar terms. Lord Fife also gave active help. On 15th June, 1792, in spite of the opposition of the Chancellor Thurlow, the Episcopal Bill passed, repealing the penal laws.

† The Strait Path was macadamised in 1887 for a similar sum—£12 10s. 11d.—seventy tons of "metal" being employed, with blinding of a loamy clay from the Elf Kirk.

George Robinson of Gask, W.S., appointed town's agent in room of Mr. James Watson.*

December 15.—A Committee appointed to consider a proposal made by the Heritors for giving off the roof and materials of the old Church, upon condition that the town and community take the burden of upholding the dykes of the churchyard.

1793.

February 11.—The gentlemen of the county having applied for a Company of the 42nd Regiment to be brought here to give aid in case of any disturbance or in assisting the officers of the revenue, the said Company had by forced marches arrived on Saturday last, therefore the Town Council resolve to give each man in the Company a pair of shoes.

February 20.—The Town Council resolve to give a bounty of two guineas to every able-bodied seamen residing in the burgh who shall enter the Navy, hostilities having been commenced by France. The great guns in the battery to be cleaned, and the embrasures repaired, and one cwt. powder got from Aberdeen, and four cwt. from London, for the great guns, and arrangements made for getting some of the inhabitants to work the great guns.

May 1.—150 bolls meal bought by the town from Dunlugas.

The Town Council protest against the Earl of Findlater and Seafield having the right of patronage to the kirk of Banff, they themselves claiming it. Subject to this protest, they concur in Mr. Abercromby Gordon's presentation and settlement.

August 5.—The Town Council, knowing they have a right over the Incorporation in modifying the compositions to be taken from entrant members, as well as rejecting any member whom the Magistrates and Council may find to be an improper member, as the funds of the several

* This appointment was perhaps not unconnected with the following interesting arrangement disclosed by the Rose Letters. The document was enclosed in a cover and carefully sealed on the outside with the seals of the subscribing parties. It runs as follows: "We, the subscribers, being connected as relations and attached to each other as Friends, have determined to unite and support one another in the Town of Banff, with a view to which Provost Robinson is so to arrange his influence and interest therein as to bring William Rose and George Robinson, Clerk to the Signet, on the Counsel at Michaelmas next 1792, and when that is accomplished, we, the subscribers, are to proceed in the after management of the Town upon principles of Honour, mutual confidence, and reciprocal support. Banff, 10th October, 1791. (Signed) Geo. Robinson. Geo. Robinson. William Rose."

incorporations have lately decreased very much, and the compositions by entrant members should be raised, the Council agree that the Wright Incorporation raise their composition for entrant members to £10, apprentices being £6.

The Town Council give a loan of £4 to William Murray, who wishes to settle here as a whitefisher, he paying interest on the loan.

Paid £107 13s. for building the meal houses, now finished.

Paid £3 11s. 2d. for entertainment to the officers of the Fencibles, and £14 7s. 4d. to John Chalmers & Co. for wine on that occasion.

Mr. Brodie, M.P., is asked to apply to the Postmaster-General for a continuance of the daily post north of Aberdeen.*

* So early as 1543 a post existed by which letters were carried from London to Edinburgh within four days, but this existed only for a short time.

Kennedy ("Annals of Aberdeen") states that a post was introduced at Aberdeen in 1590, and that in 1667 a regular Post Office was instituted by the Magistrates in consequence of an Act of the Privy Council. The Privy Council soon afterwards withdrew the privilege, and thereafter the office was under the direction of the Postmaster-General of Scotland. For many years a post went from Edinburgh to Aberdeen twice a week, and from Edinburgh to Inverness once a week. In 1695 the Post Office of Scotland received the sanction of Parliament, and posts were established throughout the country. Some time later the mail went thrice a week between Edinburgh and Aberdeen, and in 1755 it began to go thrice a week between Aberdeen and Inverness. In 1763 a post was established five times a week between London and Edinburgh, and was extended to Aberdeen, the London mail reaching Aberdeen on the sixth day after its departure.

In 1768 there were six posts a week from Edinburgh to Aberdeen, but only three (on Monday, Wednesday, and Saturday) farther north. The postage of a letter from Edinburgh to Banff was then fourpence.

In 1771 Robert Leslie, postmaster, Elgin, writes: "You ask the reason of a delay of a letter arriving at Edinburgh. I know no reason but what happens often when the waters are for some time impassable or the roads so deep or some accident happening to a postboy or his horse, which occasions the arrival of the North Mail at Aberdeen being so late, that the Aberdeen mail is sent off before ours arrives at Aberdeen." Mr. S. Mitchelson, W.S., Edinburgh, in a letter of date 8th September, 1779, congratulates Mr. W. Rose, Banff, on receiving a letter of date 6th Sept., as "the post used often to be four days in coming." In July, 1780, a representation was sent to the G. P. O. from the counties of Banff and Aberdeen, complaining of "the carelessness of the riding of the post betwixt Aberdeen and Inverness." The post was despatched from Aberdeen to Inverness on Mondays, Wednesdays, and Fridays at eleven a.m., but instead of arriving at Banff betwixt eight and nine p.m., sometimes did not arrive till after twelve midnight. The post was despatched from Inverness to Aberdeen on Sundays, Wednesdays, and Fridays at ten a.m., but instead of arriving at Banff (52 miles) betwixt five and six a.m. the following mornings, arrived in winter often about ten a.m., and at Aberdeen it did not arrive till eight or nine p.m., thus losing the post for the south which left Aberdeen at seven p.m. Complaint was also made of the bad horses many of the riders had, and of the delay of the postboys in delivering bundles, &c.

The Council, considering the great distress this part of the country in for want of salt, and as two merchants here have foreign salt, application is to be made to the Commissioners of the Customs to let the same be entered at the duty of native or even English salt. The merchants are ready to supply 200 bushels each.

The Head Court attempt to alter the sett of the burgh. Opinion of Counsel is taken. Counsel report that the Head Court cannot alter the sett of 1709.

Lord Fife writes on 8th December, 1786: "I have wrote to the Provosts of Inverness, Nairn and Forres desiring they will correspond with the other towns to the northward of Aberdeen, as to see to get the great hardships from the delay of the post redressed, and to recommend this to their different Members, and I shall be happy to give every aid in my power."

In 1788 Mr. William Rose thus addressed Mr. D. Ross, General Post Office, Edinburgh, after referring to improvements lately made on roads and bridges on Lord Fife's estate: "In the present progress of the post we feel great inconveniency. He arrives at Aberdeen at seven or eight in the morning, and if despatched at ten we could have our letters that evening by six, as answer them by the return next morning, whereas the post is not despatched from Aberdeen till past eleven, and by delays seldom arrives at Banff in summer before nine or ten. For instance despatch from Aberdeen at ten, three hours goes to Old Meldrum. Stop half an hour. He arrives at Turriff by three, and two hours more he comes to Banff by five, and if he arrived at Banff by six the lieges could answer their letters that evening. In this computation I allow more than an hour for accidents in 45 measured miles."

Mr. George Robinson, W.S., Edinburgh, thus expresses himself, 16th May, 1789: "The tameness with which the inhabitants of the north bear the irregularity of their posts has long surprised me." In answer to a Memorial from the district north of Aberdeen, transmitted to Mr. Alexander Brodie, M.P., the Principal Surveyor replied in February, 1793, that as the expense of a daily post to and from Inverness would be extremely great to the Revenue, they could not with propriety consent to its becoming at once a permanent measure, but were prepared "to cause experiment to be made for a year." From the Minutes of a meeting of gentlemen held at Elgin on 9th November, 1790, respecting delays of the post, it appears that the post consumed 72, and more frequently, 80 hours in travelling from Edinburgh to Inverness, a distance of 230 miles, which was not equal to three miles an hour. From Edinburgh to Aberdeen it proceeded at the rate of five miles an hour, therefore the rest of the distance was performed at the rate of two miles an hour. In returning from Inverness to Edinburgh, during the greater part of winter the mail was detained a complete day at Aberdeen in consequence of the Post Office there assuming the privilege of a General Office. The mail was despatched at a precise hour without waiting for the Northern post, which commonly arrived an hour or two after the departure of the former, therefore a letter despatched from Banff on Monday night did not reach Edinburgh till Friday, and could not be answered till Saturday night's post. A letter leaving Banff on Friday night only reached Edinburgh on Tuesday morning, and could not be answered till Thursday night, in all six days from the date of its departure, therefore a letter sent south in winter goes at the rate of about one mile per hour. Horses should not be made to go in winter above 23 or 24 miles a day, especially with parcels, which are often the postboys' only reward. The meeting urged that a daily post be established between Edinburgh and Inverness. From the year 1793

The bellman's dues at each burial and every other occasion when he is called are 4d. sterling.

Agreement with William Wiseman, shipmaster, to supply the public houff with 1600 barrels of Black Fill Sunderland Coals for three years, 1794-5-6.

1794.

The Town Council enact that persons throwing dirty water or other nuisances over their windows into the street are liable to a penalty of 10s. Stg.

onwards meetings of Commissioners of Supply for the counties of Banff, Aberdeen, &c., were held to procure an acceleration of the mail. Other public bodies and the provosts of all the leading towns also acted in the same direction. A general cause of complaint was that letters were detained at Edinburgh from five or six a.m. till one or two p.m. before being despatched, while the official duty required but two hours. On behalf of Edinburgh it was pleaded that the privileges or advantages to which as a capital and the seat of a General Post Office it was entitled would be infringed, as the arrangement would reduce Edinburgh to a mere thoroughfare. A step in advance was looked for when the Postmaster-General announced that a mail coach would begin to run from Edinburgh to Aberdeen on 5th April, 1797, the state of the roads appearing to justify the announcement. [The first stage coach between Edinburgh and Aberdeen began about 1778, taking 32 hours on the road.] Further delays, however, ensued. At that period a letter despatched from Edinburgh at two p.m. for Aberdeen arrived there next day at eight p.m. The answer was despatched on the third day at eight p.m., and arrived at Edinburgh at seven a.m. on the fifth day. A letter despatched from Edinburgh at two p.m. arrived at Banff on the fourth day at six a.m.

Young ("Annals of Elgin") gives succinctly the future history of the mail: "In the beginning of the present century there was no public conveyance to the north of Aberdeen. The mail bags were carried on horseback, and only were despatched three times a week. There was little correspondence . . . A mail coach with two horses was started about the year 1812 [1811]. It was a very slow conveyance, and occupied a long time in running from Aberdeen to Inverness. This conveyance continued until about the year 1819, when some spirited gentleman started a four-horse coach, called 'The Duke of Gordon,' which left Inverness at six o'clock in the morning, passed through Elgin at mid-day, and reached Aberdeen at ten o'clock at night. The proprietors of the mail took alarm at this innovation, and were determined not to be behind. They also put four horses into their coach, and both conveyances prospered. About the year 1826 a coach was started to run from Aberdeen to Elgin, called 'The Star.' It left Aberdeen at eight o'clock in the morning, and reached Elgin at five in the afternoon. Eventually a daily coach was started for Banff. The last and greatest of the coaches set agoing was 'The Defiance,' which commenced running about the year 1835, and so successful was it that it superseded 'The Duke of Gordon' coach and 'The Star' coach to Aberdeen. It was the best regulated and most prosperous public conveyance we ever had in the north of Scotland, and continued to maintain its public favour until entirely superseded by the railway system."

"There is [1838] a daily stage coach to and from Aberdeen, and to and from Elgin, and a daily mail coach to and from Peterhead; an open car also runs daily between Huntly and Banff; a mail twice a week between Keith and Banff; occasionally there have been others. All the mails (except to Peterhead) are conveyed by gigs or foot-posts." (Stat. Acct. of Banff.)

A copy is entered of Commission to the Provost and his successors as Deputy Lieutenants of the Burgh, also a copy of His Majesty's Commission to James, Earl of Fife, as Lord Lieutenant and High Sheriff of Banffshire.

The Town Council advance £20 at present towards repairing the manse and offices.

September 29.—The Council resolve to return thanks, with a gift of five guineas, to the officers and soldiers of the 2nd battalion of Breadalbane Fencibles, for extinguishing a fire on board the sloop Euphan of Gardentown, which threatened destruction to almost every vessel in the port.

Owing to the present ruinous state of the Tolbooth, Court, and Council rooms, it is dangerous to be in them; therefore, till a new tolbooth be procured, the baillie courts and Council will meet in the town's room, at present occupied by the Town Clerk, at the side of the Plainstones.

October.—The Town Council recommend to His Majesty Lieut. Col. James Edward Urquhart as a proper person to raise a regiment of infantry for His Majesty's service.

1795.

Account for lighting the town's lamps and affording materials, £42 16s. 6d.*

His Majesty accepts the Volunteer Company offered for local defence. The Trades resolve to raise one company, and the Town another company.†

* The charge in 1878 was £130, and in 1885, £173.

† Among the Burgh Records is a bundle of about fifty papers relating to measures taken for the defence of the country at this critical time.

From the Rose Letters also may be gathered numerous details as to Volunteers, especially about 1803 and subsequent years, when Patrick Rose was Captain. The constitution of the Company in 1803, which was signed by each member, was as follows: "We, the subscribers, young men residing in the town and parish of Banff, actuated by a sense of the duty we owe to our Sovereign and our country at the present crisis, when an ambitious, despotic, and cruel, enemy dares to threaten no less than the annihilation of all those sacred and invaluable privileges which we enjoy as Britons, purchased for us by the blood, and established by the wisdom of our brave, virtuous, and patriotic ancestors, hereby voluntarily and unanimously associate ourselves together into one body for the purpose of being instructed in the military discipline, in as far as may be judged necessary in conforming with the intentions of His Majesty's Government, as expressed in the late Act of Parliament for the General Defence of the Realm, chap. 96, passed 27th July, 1803." In 1804 the total strength of that company was 80, the effective rank and file 57, and the usual proportion of officers. Their uniform was as follows: "The cap made of

The Town offer a bounty of £15 15s. to each able-bodied man who shall enlist as a landman in H.M. Navy.

April 27.—Address to His Majesty, and another to the Queen, upon the late nuptials of H.R.H. the Prince of Wales.

April 27.—His Majesty has accepted of three companies of men to be raised in this town and neighbourhood for internal defence.

As the county of Banff has offered 20 guineas for each of the men they must raise for the Navy, under the Act of Parliament, the Council resolve to offer the same sum for their men.

The town purchase 300 bolls of Lady Anne Duff's farms at 15s. per boll.

Two guineas of bounty paid to James Porter, a seaman, for the Ambuscade frigate. The Town Council resolve to discontinue the bounties. The Battery Volunteer Company raised by the town is now complete. It is resolved to levy £175 on the town, being £25 for each of the 7 men charged upon this burgh.

1796.

A giral to hold 500 bolls meal is to be erected adjoining the present meal houses.

leather is similar to the Light Infantry cap, and is surrounded from ear to ear with a boarskin, having a pure white feather at the left side. The collar or cap of the coat is dark, royal blue, with two pieces of gold lace and buttons. The wings at the shoulders are white cotton fringes. The cuffs and facings are of the same blue with the cap, and have a small edging of white. There are 16 buttons on the front of the coat, eight on each side, two are pretty close and betwixt them and the other two there are about $3\frac{1}{2}$ inches distance and so on. The pantaloons extending nearly to the ankle bone are of white Russia duck, and the half gaiters are about three inches above the ankle. The tails of the coat, which, of course, is scarlet, are short, and in shape similar to those of established corps, and the stock about the neck a black regimental one."

Their exercising ground was the bowling green of the Castle. Rev. Abercromby Gordon in granting this ground in August, 1803, in name of his brother, Major Pryse Gordon, the tenant of the Castle, wrote: "The Banff Volunteers I trust may never be called to the field of battle, but if in the course of Divine Providence their active exertions are required to repel the invasion of an exasperated and rancorous enemy, I am confident they will quit themselves like men and Britons." The Volunteers, in returning thanks for the privilege, replied: "We feel much disappointed that the duties of your sacred profession prevent you from joining us as a fellow soldier, but while we contemplate this circumstance with regret we cannot help rejoicing to think that should it please Divine Providence to put our courage to the test, the good wishes and the intercessions of such a man with the Supreme Ruler of events will attend on and be employed to guard us in the hour of danger from the hostile attacks of our implacable enemy."

The county agree to give £700, and £100 optional, towards erecting the buildings for the Court House and Prisons.*

Messrs. Robertson and Rhind execute the mason work of the new Prison and Court House. James Reid made the plans, &c.

The Town Council are of opinion that a mail coach from Edinburgh to Inverness would be of very great advantage to the whole country.

The assize of bread to be set at the rate of 58s. per sack, and 14s. for importation charges and trouble in manufacture, being the same as at Aberdeen.

* A description of the old County and Municipal Buildings is given in the Old Statistical Account (1798), the New Statistical Account (1836), Imlach's Banff, and the Ordnance Gazetteer, but by far the best account is to be found in Mr. Nicol's "Banff and Neighbourhood."

"The house is of three lofty stories. It contains (1836) a hall, two large drawing rooms, Town Council chamber, Sheriff Court room, Town Chamberlain's and Sheriff Clerk's offices and the prison." (Stat. Acct.)

"The Council Chamber, on the first floor, extends to about two-thirds of the length and the whole breadth of the building. Its walls are adorned by a portrait of George Robinson, who was eight times elected Provost of the burgh between 1784 and 1828, holding that office for twenty-three years. The picture, a full length, shows a shrewd, if rather hard featured, countenance. The likeness is uncommonly true, and the figure is gracefully drawn, in a sitting posture, and hung in splendid light. The portrait was painted in 1820 by Mr. J. Moir, who visited Banff for the purpose, having received the commission on behalf of the public, who subscribed two hundred guineas. By the last representative of the family who lived in the town, the portrait was handed over to the Council. On the opposite wall is hung a small portrait of Captain James Macdonald, an old shipmaster of the port, who, after retirement from active service, took great interest in the affairs of the harbour, and in whose honour one of its piers is named the Macdonald Jetty. The artist is unknown, but the painting shows truthfully how the Captain looked in his later years. According to his wish, it was on his death, in January, 1865, handed over to be placed where it now hangs." An excellent oil painting of the present Town Chamberlain—Mr. James Smith—also adorns the room. It was presented to Mr. Smith in May, 1887, "by subscribers, on the completion of his fiftieth year of devoted service as Town Chamberlain of Banff." The portrait is here placed in custody of the Town Council.

On the opposite wall hangs a view of Banff, executed in 1775 by Mr. James Wales, for which, as the Burgh Accounts show, he received the sum of £4 4s.

"Another object of interest to the antiquary is a piece of ancient illuminated writing, being a notarial copy of a certificate by the Provost, John Mark, and other Magistrates and Councillors of Banff, in favour of Walter Ogilvie, who went to the city of Zamoski, in Poland. The document sets forth the families with whom the person obtaining it was related, with the object of showing that he was entitled to rank with nobility. The arms of the families mentioned, with their mottoes, are drawn on the margin, and are those of Ogilvie of Dallochie, Martin de Cambo, Heleburton de Pittcurr, Gairdn de Gairdn, Ogilvie de Hallycards, Meldrum de Seggy, Elphinstoun de Elphinstoun, and Crightoun, Comes de Dumfrise. This curious document is dated at Banff, 1713. It was placed in the Council Chamber by T. H. Richardson, Provost from 1840 to 1844, who had, while on a visit to London, found it accidentally in a curiosity shop.

1797.

June 14.—Resolutions adopted by the Town Council expressive of their strong indignation at the mutineers at the Nore. The Town Council offer a reward of 100 guineas for the author of a treasonable and seditious handbill posted up on the kirk stile near the house of James Chalmers, vintner.*

The Hammermen are allowed to raise the fees for entrants to any sum not exceeding £10.

The well at the top of the Strait Path is to be removed and put into the Gardener Society north gable wall, under an arch.

William Grant, M.P. for Banffshire, subscribes 100 guineas towards the expense of the Prison and Court House.

"The County Hall, on the upper floor, is a spacious and comfortable apartment, forty-seven feet long by twenty-seven feet broad, and frequently used for assemblies and other public gatherings. That it is handsomely furnished is the result of the liberality of the late Earl of Fife. Two large mirrors, placed on the end walls over mantelpieces of marble, were his gift, as were also the couple of magnificent chandeliers, in cut glass, suspended from the roof, and which at one time decorated the Assembly Rooms of Edinburgh. On the wall is hung a full length portrait of the Earl, a copy by Pickersgill of London, the original painting by Sir Henry Raeburn being in Duff House. The likeness is good, and is intended to represent the Earl at the age of thirty years in the dress of a Spanish General on the field of battle. On the same wall is a still more notable work of art, the portrait of Sir George Abercromby of Forglen; a plate attached to the frame sets forth that it was 'voted at the general meeting of the County of Banff 30th April, 1830, as a testimony of respect to Sir George Abercromby, Baronet, for his long and faithful services as Convener of the County.'" ("Banff and Neighbourhood.")

In 1796 the Town Council petitioned the Convention of Royal Burghs for aid to build the County Prison and Court House, but apparently without success. The estimate by John Rhind for the building was £1010 10s. 9d., the cells to be built of Lossiemouth ashlar, and the front of ashlar from Covesea. The Burgh Records contain upwards of 100 vouchers of payments for this building. The slates were brought from Esdaile at a cost of 44s. per 1000, and the wood from Spey—86 spars, containing 573 feet, at 10d. per foot, including freight, costing £28 4s. 5d. The total cost, 1797-1800, was £935. The following account illustrates well the drinking customs of the time:—"Entertainment to Alexander Duffus and James Anderson at measuring the new prison and town house—Monday, 29th April, 1799—Dinner 3s., port 4s., punch 1s. 10½d., drams 1s. 4d., porter 4d., beer 2d.=10s. 8½d. Tuesday, 30th April—Breakfast 2s., dinner 3s., punch 5s., drams 2s., porter 4d., beer 2d.=12s. 6d. Wednesday, 1st May—Breakfast 2s., dinner 3s., punch 6s. 3d., drams 8d., porter 4d., beer 2d.=12s. 5d. Thursday, 2nd May—Breakfast 2s., dinner 3s., punch 5s., drams 1s. 4d., beer 2d.=11s. 6d. Friday, 3rd May—Breakfast 2s. Total £2 9s. 1½d."

* Among the Burgh Records is a letter from the Duke of Portland to Earl Fife, of date 1795, referring to an Act passed for the safety of the King, and forbidding seditious meetings.

1800.

400 bolls of Lord Banff's meal bought by the town at 40s. per boll.*

1801.

The materials of the old prison and tolbooth sold.

1802.

The Town Council are of opinion that the turnpike road should be extended to Fochabers, Keith, and Huntly.†

1804.

The room above the Sheriff Clerk's office is to be a room for the Town Council meeting in daily. Fire to be in it all winter, and the town's newspapers to be on the table, thereafter to be filed.

1805.

The Town House is to be insured for £1000.

February 4.—“The whole road from Aberdeen to Banff is now made turnpike, except a few miles from Milltown of Fyvie to Old Meldrum (which will soon be completed, and is even a pretty good road at present); on the other side the road is already nearly completed as turnpike to Portsoy, and will very soon be so to Fochabers; and Spey Bridge being completed, a mail coach could go from Aberdeen to Inverness, and the innkeepers are willing to contract: the Town Council therefore apply to the Postmasters-General to establish a mail coach between Aberdeen and Inverness, to begin in April next.”

Col. F. W. Grant receives the freedom of the burgh for his endeavours in getting the mail coach to go by Banff instead of by Huntly.

* Miss Anna Innes thus writes under date 23rd January, 1800: “Never was there a more severe variable season than this has been since September last. The distress of this country for want of meall and fire is beyond description. I dare say many will perish from real want. Contributions are taking up for buying meal and oats for the poor.” (Rose Letters.)

† In 1800 a public meeting of county gentlemen was held in the County Hall, Banff, when a resolution was passed to make a Turnpike Road between Turriff and Banff, the existing road being then almost impassible.

1809.

October.—Extraordinary delay in starting the mail coach.

1810.

£654 paid to John Blaikie, plumber, for laying water pipes through the town.

The Council sanction the bye-laws of the Incorporated Trades. For the Convener's Fund entrants to any of the six incorporations pay as follows: member's sons, 21s., &c. Each of the six incorporations as quarter pence shall pay 6d. annually for each member. No benefit from the fund until a member contributes seven years.

The Town Council report that "the particulars of the annual Accompts have always been most strictly scrutinized by the representatives of the different Incorporations, and are open to inspection of every burgher, so that the smallest mismanagement or misapplication of the funds could not have escaped detection."

[1812.

James Findlay, Alexander Adamson, William Adamson, and James Hay, all late fishermen in Banff, and presently in the Seatown of Cullen, are ordered to be apprehended for not fulfilling their contract with the town. Not appearing, they are "denounced rebels and put to the horn."

1813.

John Ross, senior, fisherman, Seatown of Cullen, denounced rebel for not implementing the agreement of 25th January, 1810, to come to Banff by August as a whitefisher.]

1817.

June.—The Council purchase 200 bolls meal at 34s. per boll.

1825.

The Council allow Peter Cameron, Solicitor, to pull down the wall at the south end of the Plainstones, and to build his wall square, he giving an

equivalent of ground to widen Bridge Street, and being bound to build in the said wall the carved stones presently in the wall, and to rebuild the present stone seat.

1826.

The new weights and measures are to be kept in the house adjacent to the Town-house.*

* In Maxwell's "History of Old Dundee," pp. 57-62, are some interesting instances of complications arising in early times from a diversity of weights and measures, and the burgh of Dundee could no doubt find a parallel in other Scottish burghs, though their records may not now exist. As regards Banff, little is found in record prior to the year 1709, when the standards were received from the burghs of Stirling, Linlithgow, and Lanark. "1709, July 16. Now arrived the weights and measures shipt by the town's agent in Edinburgh, on board Robert Duncan's ship:—two sets of brass weights from Lanrick, four jugs from Stirling of fine mettale from a gallon English to a pint. Item ane bushell from Linlithgow, English measure, of metal, ane peck of oak wood and fourt part thereof, houped with iron, which were all delivered to John Ogilvie, dean of gild." The Linlithgow bushel sent to Banff is still in excellent preservation, and is deposited in the local museum. It bears the inscription: "Anna . D. G. Mag. Brit. Franc . et . Hibern . Regina . 1 . Maii . 1707 . et regni vi." In 1713 (see T. C., 1713) weights were brought from Rotterdam for the burgh, and soon thereafter the burgesses were ordered to bring in their weights to be adjusted *gratis*. In 1727 the burgh was provided with "12 pieces of burn irons for marking measures weat and dry, with ane jugs and three gages, two wherof of timber, and one of iron, with half ston of small brass weights." The next notice of weights is in the year 1747, when an attestation is recorded that "a trial had been made, before merchants of the place, of the English standard or avoidupois with the standard of old brass weights or trois belonging to the burgh, and which were sent down in a present from Queen Anne, 1707, the said year being marked on both standards in figures, and having likewise the letters D. L. K. on them, which is lookt upon to be the mark of the Dean of Gild of Lanrick. The 112 lib. avoirdupois or English = 102 lb. $\frac{1}{2}$ oz. Trois, and ever since they came they have been used as the standards both for town and county, and all the weights therein are regulated thereby." The magistrates added that their weights corresponded exactly with a set of weights that had lately come from Amsterdam duly stamped, and that all merchants both south and north agreed that meal be received and delivered by Amsterdam weight. Six years later the Dean of Guild of the burgh reported to the Convention of Royal Burghs that "the town has two sets of weights which were sent to them for standarts immediately after the Union marked and stamped in 1707: (1) Averdupois weight, (2) reckoned Troy, with which last weight all meal is weighed, 102 lbs. 3 oz. of the weights reckoned Troy being = 112 lbs. avoirdupois. All the weights of the County are regulated thereby since the Union. The firloft used in Banffshire for bear and oats contains 32 pints of the legal jug. As there is no export of pease, rye, or wheat from this County, no standard is kept for these." The records of the burgh show that in 1767 the coal barrel was found to be 72 Scots pints, and that in 1783 while in Morayshire meal was sold at nine stone to the boll, in Banffshire eight stone were reckoned to the boll. According to the Statistical Account of 1798 the boll of oats in Banff sometimes weighed 14 $\frac{1}{2}$, and sometimes 15 or 16 stones. The writer adds that in the bad year—1795—meal was sold at 21s. per boll of eight stones Dutch weight, and barley at 25s., good barley being 18 to 20 stones weight. From

a memorandum made by Mr. Christie, Solicitor, Banff, in 1822, it appears that the Cullen House firloft, by which the tenants by the terms of their leases were bound to deliver their farms at Portsoy and Cullen, was one-third of a Scots pint larger than the standard of the County. In the Aberdeen Almanac of 1823 is the following statement regarding Banffshire weights: "Butter, 26 oz. 4 dr. Avoir. to the lb., and 16 lb. to the stone. Butcher meat in Banff, 17½ oz. Avoir. to the lb., and 16 lb. to the stone. Scotch Troy weight still used for meal, butcher-meat, flax, &c., by allowing 17½ oz. Avoir. to the pound. Scotch troy oz. or Dutch weight=476 grains. Avoir. oz.=437.5 grains. Scotch troy or Dutch pound of 16 oz.=7616 grains. Avoir. pound=7000 grains. Lord Swinton is in error in his Treatise on Weights and Measures regarding the Banffshire dry measure jug. He gives it as 105.284 c. in., but it ought to be 108.864 c. in., the same as the Aberdeen ale stoup. Banffshire firloft for barley and oats (32 pints)=3483.648 c. in. [Aberdeenshire firloft (34 pints)=3569.184 c. in.] Meal peck=6 pints of the dry measure jug, but it is usually sold by weight, 8 lb. of 17½ oz. to the peck, or 140 Avoir. lbs. to the boll. Haddish=one-third of a meal peck, and contains two fills of the dry measure jug. Banffshire spirit stoup=103.680 c. in. This jug regulates the spirit measures."

Fullerton's "Gazetteer of Scotland" has the following remarks on Banffshire Weights and Measures:—"The lowest denomination of land in Banffshire is the fall, consisting of 36 square yards. Previous to the equalization of weights and measures, the firloft contained 31 pints, each 6 per cent. above the standard. A quarter of grain by the Banffshire old wheat firloft is nearly 3 pecks more than a quarter by the Winchester bushel. The boll of barley was 17 stones or 17½ stones; and of potatoes 36 stones. The potato-peck was 32 lbs. Four gills, or two English pints, make a Banffshire choppin; and two Banffshire pints are about one-tenth part less than an English gallon. Wool was sold in market by the Banffshire pound, which was eight ounces more than the English pound. Butter, cheese and hay were also sold by the same pound weight of 24 ounces; but meal and butcher's meat were sold by a pound which was only one and a half ounce more than the English pound. In the higher part of the district, about Keith, a stone of wool was two pounds more than about the town of Banff and along the coast."

In the Burgh Records is an inventory, without date, but apparently of the year 1826, "of Imperial weights and measures, conformably to the Acts of the 5th of George IV., cap. 74, and the 6th of George IV., cap. 12, for regulating and assimilating the weights and measures of the United Kingdom." The burgh then possessed 16 weights, ranging from 56 lbs. to half a dram, and 11 measures from a bushel to half a gill, and one Imperial standard yard.

About this time special measures were taken by the burgh authorities to secure uniformity of weights and measures.

In 1833 the weights, measures, &c., in the Dean of Guild's office, being the property of the burgh, were valued at £136 11s. 8d., and in 1835 the weights in the weigh-house, meal-house, &c., belonging to the burgh, were valued at £14.

At a meeting of the Banffshire County Council, on 19th May, 1891, it was stated by Mr. Campbell, Old Cullen, Convener of the Weights and Measures Committee, that the standards of the county were originally paid by the burgh of Banff, and that afterwards one half of the cost was refunded by the county, and one-fourth by the burgh of Cullen. [From the "Annals of Cullen" it appears that in 1829 that burgh "paid £34 9s. 3d., being one-fourth of the outlay for Imperial weights and measures for the county."] Mr. Campbell also explained that there had been paid for standards in 1828 the sum of £138, and that subsequent outlays had raised that expenditure up to the year 1890 to £277. The present actual value of the standards, however, had not been determined.

May 26.—The Council sanction the plan of new streets proposed by Col. Grant, curator for the Earl of Seafield, and thank him for his very liberal intentions.

August 1.—A claim is lodged for a boat carried off by the mob and burned on 29th June last, when Lord Fife was elected Member for the County.

1829.

March 16.—George Sutherland, one of the town's serjeants, is dismissed from office for informing John Stewart, an Excise delinquent, that the Magistrates were to send a party to apprehend him. Stewart escaped from jail in September, 1825, and thus put the town to much trouble and subjected them to a prosecution in Exchequer.

April 1.—The Council, considering that the change of the day of holding Brandon Fair had not been attended with the desired effect, and had been prejudicial to the revenue of the burgh, resolve that it be held as formerly on the Tuesday after the term of Whitsunday.

August.—A bill of suspension and interdict has been served on the Magistrates and tacksman of the town's salmon fishings, at the instance of the Earl Fife, and his trustee, the Earl of Lauderdale.

October.—Steps are being taken by the Town Council to compel a new charter to be taken out in favour of Lord Fife, no general charter having been taken out by the Fife family since 3rd October, 1749, and the community thus having lost the benefit of two entries, as the late Earls James and Alexander died without any charters having been expedite by them to the subjects originally acquired from the burgh.

1831.

The old Shambles and Customs House to be pulled down and a wall built in a straight line from the corner of the Coal Howff to the corner of Earl Fife's garden wall.

October 13.—A prisoner confined in the jail under sentence of transportation having escaped, the Town Council dismiss from office the jailer, the officers, and the town's drummer.* Alex. Munro is appointed

* The following appear in record as having escaped from the prison of Banff :—

1643. James Milne and Robert Alexander.

1644. Gavin Lovie.

drummer, and to go with his drum through the town every morning at five o'clock.

- 1645. James Milne.
- 1670. Thomas Gordon of Pittendreich.
- c. 1706. William Fowler, merchant in Fraserburgh.
- 1712. The prisoners Cowper Mill, and associates fired the doors of the tolbooth, and almost escaped.
- 1727. Patrick Blair.
- 1729. William Robertson, vagabond and thief, allowed, negligently or wilfully, by the officers to escape.
- 1732. Cf. T. C., 18th October, 1732.
- 1735. "Paid half-a-crown, as price of four bolls lime borrowed from the Lady Achmedden for mending a breach made in the tolbooth by one John Gun, who was prisoner at the time."
- 1739. Ann Mowat banished for life from Banff for putting in irons to prisoners to enable them to escape.
- 1780. Letter from William Forsyth, Duff House, 17th March, 1780: "No accounts of the rascall that made his escape from the prison of Banff."
- 1787. Peter Young and Jean Wilson.
- 1823. James Anderson, *alias* Joseph Grahame, escaped, but was identified afterwards, when in Aberdeen prison.
- 1825. John Stewart, miller, Auchriachan, and two others.
- 1828. Cf. H. C., 1828.

A new prison was erected at the foot of the Strait Path in 1712, at a cost of £1913 15s. Sc. (Cf. C. B., 1802). This building appears latterly not to have suited the comfort of its inmates (Cf. T. C., 10th February, 1783), and by 1794 it had become altogether ruinous. "The jail was a very old-fashioned, big, and unseemly structure of two storeys. Prisoners were confined only in the upper floor, to which access was obtained by an external stone stair built against the side of the building on the Strait Path. The windows were small, and barred with iron, but prisoners were able to converse from them with people on the street, and habitually, at the call of friends, put out little bags attached to strings for the reception of dainties. . . . Caird Young, while imprisoned there in 1787, prior to his trial at Aberdeen, managed to escape, but being observed by old Alistair, the jailor, ran into Botany Bay, a hollow square of old houses (the town residence of Duff of Corsindae, who settled in Banff as a merchant in 1700), where now stands the property of Mr. Gibson, draper, and not finding an outlet, had to submit to his pursuers. Young and his wife were imprisoned at Banff for breaking into a shop in Portsoy, and, being tried at Aberdeen, were sentenced to be hanged on 16th November, 1787. Young managed to break the jail, but was re-captured, taken to Edinburgh, and executed on 2nd July, 1788." ("Banff and Neighbourhood.")

A new prison of a more substantial character was built in 1796, as part of the new town's buildings, on the east side of the Market Square.

During the six years, 1817-1822, the number of persons imprisoned for debt in the prison of Banff was 20, 13, 18, 14, 17, and 28 respectively, of whom there were for debts over £20:—10, 4, 8, 9, 6, and 12; and under £20:—8, 8, 2, 3, 2, and 4. The number in the same years for debts under £1 was 1, 0, 2, 0, 1, and 6 respectively. The number of prisoners for the years 1832, 1833 and 1834 was:—debtors, 22, 17, and 9; criminals, 15, 16, and 45; revenue offenders, 5, 4, and 2; total, 42, 37, and 56.

The Commissioners on Municipal Corporations in Scotland reported on the prison in 1833:—"The prison is situate in the middle of the town, immediately adjoining to the burgh offices. The accommodation is bad; the number of apartments is four; two of which are for civil and two for criminal prisoners. They are of a moderate size, as the largest is only 18 feet in length, and 17 feet 3 inches in breadth. There are no airing grounds; and the prison is unhealthy and insecure. Complaints were made to the Commissioner, both by the authorities and the burghesses."

The Inspector of Prisons, Scotland, reported in 1836: "The prisoners in the Banff Gaol are occasionally seen hauling up packages from a yard below, which is open to the public; and at this and several other Prisons the prisoners succeed in obtaining supplies of whisky and other improper food from without."

Proceedings were taken in Exchequer against the Magistrates in 1827, owing to the escape of Stewart, a Crown debtor, in 1825. The Magistrates petitioned the Lords Commissioners of H.M. Treasury, representing that owing to the late extension of the powers of Justices of Peace in the execution and administration of the Revenue laws, there had been a great increase of prisoners in Banff jail, that there were only two rooms for debtors, that for the last 18 months they had been excessively crowded, there being seldom less than 15 and frequently 20 to 25 prisoners confined in these two rooms, that for the last 18 months the average number of prisoners for breaches of the revenue laws had been above 20, while the whole number of debtors during that period had been only 4. When seven prisoners were in one room they tried to cut through the wall, which was $3\frac{1}{2}$ feet thick, but failed. They then cut through the two sets of stanchions of one of the windows, and three prisoners thus escaped on the night of 24th Sept., 1825. One was retaken, but Stewart escaped. The window was about 20 feet from the ground, and the stanchions were put in when the prison was built about 26 years previously. It was stated that they must have had accomplices outside. A writ of subpoena was served on the Magistrates to show cause why they were not liable for the debt for which Stewart was incarcerated.

For the state of the prison in 1840 see T. C., 1840.

A new and well-appointed prison, containing 22 cells, was erected in 1843-4 at a cost of about £3000. The report of the Government Inspector of Prisons for the year 1876 shows that the Banff prison was licensed for the detention of prisoners for nine months, and that it contained 16 ordinary cells and a punishment cell for criminals, and 3 cells for debtors. During the year 1876, 51 male and 8 female prisoners were confined, the great majority of them for periods under a month. [The number in 1870 was 89.] The average daily number of prisoners during the year was 6. The total ordinary expenditure of the prison, including salaries of all officers, &c., for the year was £331 9s., while the average annual total ordinary expenditure for the preceding five years was £264 18s. 8d. The average annual cost per prisoner was £55 4s. 10d., less £2 2s. 5d. earnings for labour. The average weekly cost of food per prisoner was 2s. 10½d. Hard labour was carried out by picking oakum and cranks. At the cranks 14,400 revolutions for males, and 12,000 for females, with a resistance not exceeding 11 lbs., was the required daily task, and at oakum picking from 2½ to 5 lbs. for males, and 1½ to 3 lbs. for females.

The number of persons apprehended in the burgh by the police for the six years, 1872-1877, was 126, 93, 100, 122, 95, and 105 respectively. Of those apprehended in 1877, 55 belonged to the burgh and 50 were strangers, 84 were males and 25 were females, 94 were under the influence of drink, and 11 were sober when the offences were committed.

In terms of the Act of 1877 the prison was discontinued as a legal prison in 1878, since which time prisoners from the county of Banff have been incarcerated in the prison of Elgin.

On 15th March, 1886, the Burgh and County Police were amalgamated.

1832.

July 30.—Cholera having appeared at no great distance from this burgh,* the Council resolve to constitute a Board of Health.

September 18.—Letter read from Mr. Grant, minister of the parish, to the Town Council, urging the Magistrates to recall their permission to Mr. Ryder, comedian, to remain for some time in the town with his party. The Town Council decline to do so, but limit their permission to one month from this date, making the period six weeks in all.

September 27.—A letter from Messrs. Knox, Machray, and Robinson, Aberdeen, expressing their readiness to undertake the forwarding of a regular mail from Banff to Aberdeen, and wishing the Council to use their influence to procure the re-establishment of a regular mail on this road, was read to the Council. The Council make application to the Postmaster-General.

Assize of Bread. Complaints were made that the assize of bread as set here was less than that set at Aberdeen, and the Council having considered the terms of agreement with the bakers in November, 1798, from which it appears the assize was to be set here 4 drops on the penny loaf less than at Aberdeen, and this on account of difference of freight. The bakers agree to depart from the said bargain and to allow the assize to be set in future according to the price of flour in the county. The Town Council resolve that the assize of bread be set according to the average price of flour in the county, and direct this price to be ascertained and the first assize to be set on the 1st November next, and thereafter direct the assize to be set on the first day of every month thereafter.

* Drs. Whyte and Barron certified the case of Robert Barron, Macduff, as a decided case of malignant and spasmodic cholera.

[In this year were issued Reports and Plans on the proposed boundaries of burghs in Scotland. The boundaries of Banff and Macduff are as follows :—

“ From the rocks on the west of the town called the Little Tumblers in a straight line drawn due south to a point on the Gallow Hill 850 yards distant, thence in a straight line to the point at which the Colleonard road leaves the Sandyhills road, thence in a straight line to the bridge over the River Dovert, leading from the town of Banff to Macduff; thence up the River Dovert to a point which is distant 200 yards (measured along the River Dovert) above the said Bridge; thence in a straight line to a point on the road from Macduff to Aberdeen, which is distant 200 yards, measured along such road to the south of the point at which the same is crossed by the Deyhill road; thence in a straight line to the mineral well of Tarlair, thence along the shore of the Moray Firth to the Little Tumblers first described.”]

1833.

July 16.—Mr. Watson, surgeon, reports a case of suspected cholera in the Low Shore.

October 3.—Interdict is taken out against certain unfreemen to compel them to take out their freedom, or desist from keeping open shop.

Expenses incurred before the Court of Session and otherwise in connection with the Magistrates endeavouring to stop a man of the name of John Thomson from opening shop in this burgh, £650 18s. 6d.

A Committee appointed to examine the charitable bequests under the management of the Magistrates and Town Council report the following:

- (1) Smith's Bounty. The mortifier by will dated at sea 7th Nov., 1789, left £8833 6s. 8d. three per cent. consols. There are 9 bursars at Fordyce at £25 each per annum. The Schoolmaster of Fordyce gets £40 per annum, and the minister £25 a year. The Committee observe a separate sum—£1000—applied to the present Town house, which was a special bequest to build an Hospital.
- (2) Cassie's Bounty. Alexander Cassie, Queen's Row, Middlesex, left £10,000 three per cent. consols under the management of the Town Council. A liferent of £200 a year or £7000 consols and dwelling house in London retained by the executors to secure an annuity to Elizabeth Adams, the testator's housekeeper.
- (3) Pirie's School, under the management of the Town Council, the minister, elders and kirk-session. Capital £1100 in the hands of the town. Schoolmaster's salary £40 a year. Yearly fund £55.
- (4) Winchester's Mortification. Three Academy bursaries of £7 10s. each per annum. Each boy appointed for five years.
- (5) James Wilson of Grenada left £8388 9s. 4d. Bank three per cents. to the community of Banff on the death of the liferenter, Mrs. Helen Booth, aged about 89. [She died February, 1834.]

December 18.—A malignant and fatal fever is raging in Walker's Close in the Low Shore.

December 28.—A petition from the Incorporated Trades craving the Council to hold their stated meetings with open doors. It was resolved generally to grant the prayer of the petition to such burgesses and electors as may wish to attend.

1834.

April 9.—Petition from a number of the inhabitants complaining of being annoyed by the practice of idle people collecting near the Grey Stone.*

Mr. John A. Cameron elected to represent the burgh in next General Assembly, he having in a circular "satisfactorily explained his views on the great question of Church Patronage, at present creating so much discussion, and likely to engross the serious attention of the Assembly."

The Bath Company acquire a site about 27 feet square for building their works, north of the Carpenters' Green, and between the New Pier and the Gas Work.

November 13.—Public meeting to consider as to adopting the Police Act.

November 21.—Address to the King expressing the deep regret of the Town Council that His Majesty had dispensed with the services of Lord Melbourne and his colleagues, and praying that His Majesty would be pleased to recal them.

1835.

A Lustre for the County Hall is presented by the Earl of Fife.

The six Incorporated Trades congratulate the Town Council on the new arrangement for the town's debt. Instead of having the creditors dispersed over the country, a loan of £9000 was negotiated from Cassy's Trustees at $3\frac{1}{2}$ per cent.

The Presbytery of Fordyce has resolved to attest the commission of no elder who could not produce evidence that he had regular family worship in his house.

Rev. F. W. Grant is now about to remove into the Castle.†

* The Grey Stone was situated on the High Street, opposite to the top of the Strait Path. "It was a large grey-coloured stone, standing above the surface of the street, at which people gathered to gossip over the news of the day, as they do now at street corners or shop doors. John Wesley mentions that he preached at the Grey Stone. Though it has disappeared from view it is not lost, having, on the re-levelling of the street, to make it conform to the Turnpike Act, been buried under the surface of the roadway." ("Banff and Neighbourhood.")

† The Castle was built in 1750-51, and the following is a list, believed to be nearly correct, of its several occupants since then :—

- (1) Lord Deskford.
- (2) Countess Dowager of Findlater. She died 1795.

Debts now due by the burgh: the Tailors' Incorporation £300; Operative Masons £380 and £230; Kirk Session of Banff £360 8s. and £15 7s. 8d.; the Hammermen Incorporation £530; the Guildry Fund £25; Cassy's Trustees £9000, &c. Total, £14,398 15s. 8d., of which the most stands at $3\frac{1}{2}$ and 4 per cent.

Wilson's funds, after the death of Mrs. Booth, amount to £7106. After the transfer of the stock to the Town Council the free residue secured to the Council as Testators is £6567 16s. 1d. Three per Cents. Two of Wilson's executors became bankrupt, and part of the estate was not realized. Mrs. Helen Booth was sister of the testator. The money was left to the *Magistrates*. Counsel—the Solicitor General—gave it as his opinion that the Provost, bailies, dean of guild and treasurer, are generally considered *Magistrates* in the different burghs of Scotland. £3000 of the stock was sold out at 90 $\frac{3}{4}$.

April 8.—The Council unanimously agree to transmit a petition to the House of Commons expressive of thanks to the majority of the House for their support of Lord John Russell's motion on the Irish Church question, and assuring them that they will have the entire confidence and support of the people in this part of the United Kingdom in adopting such further measures as they might find requisite to do justice to Ireland, and to redress the well founded grievances of all classes of the country.

April 18.—A retaining bulwark is to be built along the Low Shore to Duff's Hillock.

April 22.—The Kirk Session complain to the Council of a practice which they state to be in existence of persons selling drink and spirits on Sundays.

(3) General Cathcart of the Fencibles.

(4) Major Pryse Gordon, brother of Rev. Abercrombie Gordon, minister of Banff.

(5) Mrs. Moodie, widow of an officer of the army. She became bankrupt, and occupied the Castle only for a short time.

(6) Sir Robert Turing occupied the Castle for at least twenty years, and died there on 21st October, 1831.

(7) Rev. Francis W. Grant left the Castle about six months after the Disruption.

(8) Captain Davis, R.N., entered Whitsunday, 1844, and left in 1848.

(9) Campbell Smith entered Whitsunday, 1848; left in 1857.

(10) Dr. Bremner entered Whitsunday, 1857, and died there in 1873.

(11) Arthur Sinclair entered in 1873, and remained till Whitsunday, 1876.

(12) Mr. Gerard entered at Whitsunday, 1876, and left at Whitsunday, 1878.

[Castle sold by the Earl of Seafield to Mr. Alexander Colville, Solicitor, as at Whitsunday, 1878.]

(13) Sheriff Scott Moncrieff entered Whitsunday, 1878, and left at Whitsunday, 1887.

(14) Mr. Alexander Colville, the proprietor, entered at Whitsunday, 1887, and continues to occupy it.

July 21.—The balance of subscriptions (about £50) after erecting a monument to the late Mr. Cruickshank, Rector of the Academy, is to be devoted towards providing prizes at the Academy.

The Council present a piece of plate, value £5 5s., to Mr. Scott for his exertions in securing Wilson's Bequest for Charitable Purposes to the burgh.

September 19.—The Council approve of the report of the Committee appointed to revise the charters in favour of Lord Fife. The charters were executed accordingly. At the same time the Council deeply regret that their predecessors should have alienated these valuable rights of property for merely nominal rents which is now, however, past remedy.

November 10.—James Smith appointed Town Chamberlain.

December 30.—The subject of the removal of the Grammar School from its present site is to be considered by the Head Court this day.

1836.

January 6.—The Magistrates and two members of Council execute a power of attorney to Messrs. Coutts & Co. for the sale of £13,865 Three per Cents., of which £10,297 belongs to the Magistrates as Trustees of Smith's Bounty, endowed at Fordyce, and £3,567 to the Magistrates as Trustees to the late James Wilson of Grenada.

March 2.—Stent masters appointed : five for the Merchants, the six deacons for the Trades, four for the Physicians, &c., three for the Fleshers, &c., three for the Carters and Hirers, and three for the Workmen.

April 6.—The stent roll amounts to £484.

1837.

It is remitted to the Law Committee to compel certain traders to pay their freedom, and that forthwith.

Petition to the Postmaster-General for acceleration of the mails to Banff, proceeding through Fife and Dundee. The Postmaster-General replies on 11th October that in three or four months hence, when 70 or 80 miles of the London and Birmingham Railway will be opened, the acceleration will be granted.

October 18.—Seven additional cases of scarlet fever. The schools closed for a week.

1838.

January 10.—The Town Council resolve that no person becoming a burgess freeman shall be obliged to become a member of the Guildry Fund, or pay anything to it, the only payment on his admission being £10 Stg. for the use of the community and for the stamp, sons of burgesses being admitted at half the above rate. The procurator-fiscal is ordered to prosecute unfreemen.

January 26.—The sum payable to the burgh by persons entering as freemen burgesses, guild brethren, is now to be reduced. All extraneans to pay £3 3s., and freemen's sons and apprentices to pay half rate.

April 30.—The Council pass a resolution in favour of a trial of Mr. Rowland Hill's whole scheme of Penny Postage.

June 6.—The Council unanimously agree to request the representative in Parliament for this district of burghs to embrace every opportunity of voting for the abolition of the Convention of Burghs.

July 4.—The Council transmit an address of congratulation to Her Majesty upon her coronation.

November 2.—Peter Cameron, provost, resigns as a member of Town Council.

November 8.—Protest lodged by J. W. McKenzie that he, as a member of Town Council, is not responsible for the conduct of his predecessors in (1) as Managers for Alexander Cassy's Bequest, borrowing the greater part of the funds, amounting to £9,130 Stg. from themselves, and lending the same to themselves as Town Council to pay off the town's debts, and (2) squandering and mis-applying the funds left by the late James Wilson of Grenada upon the erection of an ornamental building, called Wilson's Educational Institution.

Owing to a supposed irregularity regarding the date of election of the Magistrates, a petition is presented to the Court of Session, who appoint the present Provost, Magistrates and Council as managers of the affairs of the burgh.

1839.

January 31.—The rental of all property within the burgh liable to be assessed in terms of the General Police Act is, in the judgment of valuers appointed for that purpose, £4848 10s.

April 2.—The Council petition in favour of a uniform rate of postage.

May 1.—Mr. Robinson is requested by the Council when he is in London to call at the General Post Office and endeavour to obtain that Banff have the benefit of the acceleration of the mails as now extended to Aberdeen.

1840.

March 25.—Alexander Wallace Gardiner, Esq. of Greenskares, is elected Ruling Elder by the burgh.

The fees for the Municipal, Police, and Harbour Bill for the burgh, now passing through Parliament, amount to £600.

The Council, in terms of Sect. 20 of Act 2 and 3, Vict. c. 42, deliver over the Jail to the County Prison Board, but under reservation of the debt of £1000 existing on the jail and due to the Trustees, under the will of George Smith of Bombay, being a sum borrowed from them by the Council in 1795, and applied to the building of the jail. The feu-duty for the site of the jail is payable to Sir Robert Abercromby of Birkenbog. The present state of the jail is as follows: Cell No. 1, the Debtors' room, and Cell No. 2, the Back Room, have grates. Cell No. 3, the Back Cell, and Cell No. 4, the Front Cell, are not stated to have grates. The Low Prison presently occupied by female prisoners has two beds. The Police Cell has one old bed. In the lobby are two pair of foot shackles, and a large set of irons for the neck and feet. There are ten prisoners at present in the jail.

July 6.—The Magistrates unanimously grant permission to Mr. Ryder to open a theatre here for a short period.

July 23.—The Act of Parliament for the regulation of the affairs of the burgh and harbour receives the royal assent this day.

The Council resolve to give no clothing to any of the town's servants.

September 14.—Mr. McLaren intimated a motion for next meeting that the salary paid by the town to the precentor be discontinued.

October.—A new Prison is to be erected in one of the parks belonging to the Earl of Seafield.

The Finance Committee present a report upon the revenue and expenditure of the burgh:—

Revenue. Rents and feu-duties, £546 16s. Turnpike road dividends (average), £34 19s. 7d. Rent of seats in church, £74 18s. Interest on

the price of water pipes and cisterns (valued at £775 8s., and to be paid by the Commissioners of Police), £34 17s. 9d. Total, £691 11s. 4d. *Expenditure.* £933 19s. 3d.

Deficiency, £242 7s. 11d. Cess voted by Head Court, £235 5s. 9d., still leaving a deficiency of £7 2s. 2d.

Items of Expenditure: (1) Interest of debts £516 9s. 3d., of which £35 14s. 10d. is interest on £714 18s. at 5 per cent., £194 4s. on £4855 15s. 8d. at 4 per cent., and £331 10s. 5d. on £9472 2s. at 3½ per cent.; (2) Minister's Stipend, average of five years, £8 8s., allowance for Manse £2 8s., and interest of money mortified to the minister £5 2s. 9d.; (3) Burgh maills £1 18s. 9d.; (4) Salaries to Rector £66, to the teacher of English £21 12s., to the teacher of Writing £21 12s., to the precentor £8. The Committee recommend, in order to avoid the aforesaid deficiency of £7 2s. 2d., to effect a saving on the salaries of the precentor £8, town's Assessor £5 5s., town's drummer £2 10s., &c. The Committee recommend the Council to embrace every opportunity of increasing the revenue and lessening the expenditure, and impress upon the Council "the absolute necessity in so far as they consistently can of avoiding lawsuits, which have always hitherto absorbed so much of the public funds, and from which the community have derived so little advantage."

1841.

March 17.—Some years ago upwards of £200 Stg. was raised by subscription for building an Hospital; but afterwards the subscription was closed, and the subscribers had placed the amount in the hands of the Sheriff to be applied for public purposes within the town. The Sheriff proposed that the sum be placed in the hands of the town at 5 per cent., and that the interest be paid to bursars at the Grammar School. The Council agree to this proposal.

May 5.—A settlement of the Infirmary funds made with Sheriff Pringle, and £250 paid to the burgh, to be applied for public purposes, the conditions being read and approved of by the meeting, also by the county meeting, and ordered to be engrossed. The Provost and Magistrates grant a bond at 5 per cent.

April 7.—The Council direct intimation to be sent to all unfree traders within the burgh that their entry money must be paid.

The Council decline to elect a Commissioner to the Convention of Royal Burghs.

A Committee of the Council report that the walks, &c., of the Churchyard are in a bad condition, but are being now improved, and that the map of the Churchyard and book of reference had been discovered after having long been lost.

November 12.—News of the birth of a Prince of Wales received this morning. The Council and citizens dine in the Council room in honour of the event. [Born 9th November.]

1842.

March 2.—It was agreed to assess the several heritors for £100 for support of the poor.

August 3.—The Council resolve to petition Parliament for the abolition of the Convention of Burghs as being now useless.

October 5.—The Provost reported that he had the honor to present the addresses voted at last meeting to Her Majesty and Prince Albert at the Court held at Dalkeith, and had afterwards the honor to be presented to Her Majesty and kiss Her Majesty's hand, whereupon the thanks of the Council were voted to the Provost for the trouble he had taken in the matter, and for the manner in which he had maintained the honor and status of the burgh and its magistracy.

A dispute arises between the county and the burgh as to which of them the County Hall belongs to. It is determined to belong to the burgh.

1843.

March 1.—The Council direct the town's bell to be rung every morning at half-past five o'clock, for the purpose of giving notice of the hours to the working people.

April 5.—As the town bell is not heard in the mornings in the more distant parts of the town, it is suggested that the town drummer go through the town every morning at five o'clock, he being either paid a small salary by the town, or allowed to make a collection yearly at Christmas.

July 5.—Bailie Frazer is appointed Commissioner to the Convention of Burghs, with a request to vote for the abolition of the Convention.

A new Hotel is to be built at the foot of the Collie Road.

The amount of the rental of the burgh is £10,100 10s. 2d.

1844.

May 8.—The heritors meet and assess themselves for the support of the poor in the sum of £50, which will be sufficient for three months, till it be seen what measures Government will introduce.

May 20.—The Council express themselves in favour of the proposed Great Northern Railway to connect Aberdeen with the South by Strathmore.

June 5.—The Provost stated that on the day for letting the seats in the church very few seats had been taken.

July 17.—Died yesterday George Garden Robinson, Esquire of Towiebeg, Bank Agent in Banff, who has been many years in the Council and Magistracy of this burgh, and has often filled the civic chair, and who was held in great respect by all classes of the community.

August 5.—The Council instruct the Magistrates to vote for a compulsory assessment for support of the poor at the meeting of Magistrates, Heritors, Elders, &c., of the parish, to be held on the 6th inst.

September 9.—The Council join the inhabitants in recommending Rev. Robert Bremner to the Earl of Seafield, the patron of the parish.

1845.

March 5.—The Council, considering that the burgh is greatly interested in the proposed Railway from Aberdeen to Inverness, authorised the Provost [and six other officials] to become members of the Committee on said Railway for the purpose of attending to the interests of the burgh.*

* Prior to this period communication between Banff and the South was limited. In 1823 the carrier from Aberdeen, Banff, Cullen, &c., arrived on Tuesdays and departed on Fridays. Communication by sea was then by means of the London traders—the “Duchess of Gordon,” the “Stag,” and the “Thames,” and the Leith traders—the “Jean,” the “Hamilton,” and the “Expert.” There were also the Stage coaches. In 1831 the “Earl of Fife” left 62 Union Street, Aberdeen, every morning, except Sunday, at 6.30, and arrived at Banff the same day at 12.30 noon. It left Banff the same afternoon at 3 o'clock, and arrived at Aberdeen the same evening at 9 o'clock.

1846.

A public meeting consent to the formation of a new road from the top of Bridge Street to the Harbour. The value of houses and land through which the road would pass was found to be £2300. [The proposal was subsequently departed from.]

April 1.—A deputation of the Banff Total Abstinence Society memorialize the Council to diminish the number of licenses for the sale of drink, and to recommend that no drink be provided at funerals.*

April 27.—The Council recommend the inhabitants attending funerals not to go into the house at all, but to assemble in the street exactly at the hour appointed. They also recommend to the Magistrates to be very careful in granting of certificates, particularly to new applicants, and to take every opportunity of reducing the number of those already granted.

November 3.—The Council direct that the weekly market begin at nine o'clock throughout the whole year.

1847.

May 5.—The Town Council record their high sense of Sheriff Currie's services in preserving peace where riots connected with the high price of provisions were anticipated, and where the military were stationed, but are now withdrawn.

September.—A meeting of Heritors held concerning the erection of a spire on the Parish Church.

October 7.—The Finance Committee recommend that the balance of £761 due on the accounts of the late Lewis Robertson, town's chamberlain, be struck off as irrecoverable.

The Council agree to allow the town drummer a coat of the town's livery, to be worn by him on all occasions when on duty, but to be taken great care of, and made to last as long as possible.

* Similar petitions, at least as regards the number of licenses, were presented in 1848 and 1891, and several intervening years. In 1836 the number of inns or shops licensed for the sale of ale and spirits was 38, all within the liberties of the burgh. In 1872 the number of licensed premises was 19, while 25 persons also held a license for the sale of table beer, the price of which not to exceed ½d. a quart.

1848.

May 5.—The Town Council petition the Lords of the Treasury for aid in completing the Aberdeen Railway. [A reply was received that the prayer of the petition could not be granted.]

1849.

February 1.—A general feeling exists in favour of a new cemetery. [A new cemetery was opened in 1862.]

October 15.—Appointment by the Lord Ordinary of Henry Milne, surgeon, and Alexander Blake, vintner, as Managers of the burgh of Banff, in respect of the resignation of the Magistrates and Council, the appointment to endure till the meeting of the Court in November. [All the Council resigned except those appointed Managers.]

October 29.—Meeting of the Managers appointed to administer the affairs of the burgh.

November 3.—The Managers elect fifteen persons as Councillors *ad interim*.

November 6.—William Scott elected Provost.

1850.

April 4.—The Lord Ordinary, on the petition of William James Whyte, M.D., appoints Messrs. William Hossack, senior, Henry Balfour, Garden Grant, and William Robert Gordon, Managers *ad interim* of the affairs of the burgh, the election of 3rd November, 1849, having been declared null and void.*

October 4.—The collector of rents reports that a fund had been placed at his disposal for the purchase of a bell for the new spire on the church, and that the old bells were asked to be given as part of the material for the new bell. The Managers agree in so far as they have any right to these bells.

* In a pamphlet published at the *Banffshire Journal* Office in April, 1850 (96 pp.), entitled, "Copy Correspondence and Letters connected with the Affairs of the Burgh of Banff since September, 1849," is given in a series of ninety official letters and documents, a narrative of the proceedings connected with this case.

Ten guineas paid to Mr. Ramsay of the *Banffshire Journal* for printing the correspondence about the town's affairs.

November 12.—Intimation made that Miss Margaret Anderson, Edinburgh, had bequeathed £500, to be distributed in sums of £5 each to indigent old women of good character, until the money be exhausted. [£447 10s. received after payment of legacy duty, &c.]

1851.

January 10.—Mr. John Watt bequeaths £400 to the Magistrates and Town Council, the interest to be applied annually in educating boys.

Accounts lodged: (1) Messrs. Inglis & Burns, W.S., for application for the appointment of Managers for the burgh of Banff and relative proceedings, £51 17s.; (2) Dr. Whyte's application for do., £31 10s. 5d.; and (3) Mr. Leask's protest, £1 15s. 6d. Total, £85 2s. 11d.

January 31.—Account lodged by Mr. Forbes, town clerk, for business, £89. The Magistrates' seat in the church to be covered with crimson cloth.

February 4.—A case of "Sibbens" reported by Dr. Whyte in the Gallowhill, and he apprehends it may over-run the whole district unless means be taken to prevent it.*

February 19.—A large bell is now placed in the steeple of the Parish Church, bearing the inscription: "Presented to the town of Banff by James C. Grant Duff of Eden, 1850." The Managers direct that the bell be rung at 5.45 every morning by the town drummer, and that his going through with his drum in the morning be dispensed with. The Managers thank Mr. Grant Duff for his handsome donation.

March 12.—Letter read from Rev. Mr. Bremner declining to allow the bell in the steeple to be rung, as ordered by the Managers, without the sanction of the Heritors, and of the Minister and Kirk-Session. The Managers point out that the bell was placed in the spire lately erected on the Parish Church by public subscription, that they are ready to remove it, and that the Heritors and Kirk-Session have no property therein.

September 22.—The Managers direct that notice be published for the election of a full Council of the burgh, to be held on 4th November next,

* Sivvens. Cf. Pennant's "Tour in Scotland" (1772), part ii., p. 44, and p. 447. Pennant considered the particulars of such a disease would find a more appropriate place in his Appendix.

in terms of the opinion of the Lord Advocate and resolution of the Head Court and meeting of electors.

November 4.—Seventeen elected as members of Council.

1852.

June 3.—New streets are being opened in the burgh by the Earl of Seafield. The lane opposite to the Castle Gate is shut up.

October 4.—By a recent Act of Parliament the whole Council go out of office next month, and a new Council—nine in number—falls to be elected. [In May, 1851, the Managers, and also a public meeting of the inhabitants, approved of the number of Councillors in Banff being reduced to nine, the number by the sett or usage of the burgh being seventeen.]

1853.

January 10.—Arrangements are being made with James Falconer and other fishermen in Portknockie, who are desirous of settling in Banff. The Council give off stances for six houses on the low ground on the sea side, on the east of the town's quarries, and agree to advance £300 to build said houses.

January 15.—James Falconer, William Mair, William Slater, Alex. Wood, Alex. Slater, Robert Slater, and George Slater, Portknockie, agree to the foregoing offer, but stipulate for a promise of their children being educated free in the seminaries here, which stipulation the Council feel themselves unable altogether to agree to.

February 11.—The Council, considering that the churchyard and burying ground had got into a very ruinous and confused state, and that there is no proper means of ascertaining what spaces are properly available for interments, request the Provost to wait upon the Minister with the view of getting him to convene a meeting of the Heritors and Magistrates, for the purpose of taking into consideration the state of the churchyard generally, and of adopting measures for the improvement and regulation of it in future.

December 7.—The Council resolve that a market for hiring servants and the sale of merchandise, which the Council expect will ultimately

supersede Brandon Fair, be held in Banff upon the Friday before the term of Whitsunday yearly.

1854.

February 6.—A letter read from the Crown Agent requesting remarks by the Town Council on the Bill to be introduced fixing the boundaries of burghs. The Council object to such parts of the bill as would include Macduff within the burgh, and suggest that the boundaries of this burgh be simply those of the ancient royalty, as it was before the passing of the Reform Bill, so as to include those parts of the ancient royalty which were excluded from the Parliamentary boundary by the Reform Bill.

1855.

Alexander Grant, Esq. of Aberlour, has bequeathed £200 to the town for charitable purposes.

1856.

April 15.—The Town Council petition in favour of the railway from Keith to Nairn.

Expenses in the action of the Town Clerk *contra* the Town, taxed at £215 4s. 8d.

1857.

A Russian gun granted to this town as a trophy.

James Hunter appointed Registrar of Births, Deaths and Marriages.

1859.

October 22.—Plan of a proposed Soup Kitchen, in terms of Mr. Grant of Aberlour's Bequest (about £243), approved of.

1860.

The Town Council and inhabitants petition for an acceleration of the mails from Aberdeen to the North, and especially for the earlier despatch of mails arriving at Aberdeen from the South, which at present are allowed to lie at Aberdeen for several hours.

The Council recommend that the 20th of December be observed as a day of thanksgiving to commemorate the ter-centenary of the Reformation, the said day being agreed to be so kept by the leading ecclesiastical bodies in the kingdom.

Robert Leask succeeds Mr. Hunter as Registrar of Births, &c.

The burgh takes 94 £10 shares in the Banff, Portsoy and Strathisla Railway, in lieu of lands valued at £940, taken by the Railway.

[The Banff, Portsoy and Strathisla Railway was opened on Tuesday, 2nd August, 1859, terminating at Banff at the Links. The first train—a goods train, having a carriage attached with the Directors—ran into Banff Harbour Station on 31st March, 1860. The Banff and Turriff Railway was opened on 4th June, 1860, the terminus then being on the south side of the Hill of Doune. The first telegrams to Banff were sent from Grange on 21st May, 1860, but it was some time thereafter till the line was open for other than railway messages.]

1861.

The Council resolve that the weekly market commence at 8 a.m. during summer.

July 10.—Foundation stone of Chalmers' Hospital laid.

August 2.—Mr. Coutts takes down and rebuilds the wall on his property at the south end of the Plainstones, and inserts the sculptures that were in the old wall.*

* The following is a list of the carved inscriptions in the burgh usually pointed out to the intelligent stranger, arranged in the order in which they would naturally be visited :—

- (1) "I. G . . M. S. 1740." On Boyndie House.
- (2) A small stone, of about a foot square, and of which an illustration is given, is now built into a stable in Kingswell Lane, and has carved on it three figures, with pillars dividing them into two compartments, of which the front compartment has two figures, while the other has one. It is possibly of pre-Reformation date, and may represent the expulsion from the Garden of Eden.
- (3) The house at the top of the Strait Path, now occupied by Mr. Cameron, cabinetmaker, has several carvings, especially on the windows that project from the eaves. These six windows bear the following, beginning at the front, north side :—(1) "T O" and underneath "Thomas Ogilvy," the whole enclosed in a triangle. At the base externally "16 . 69." (2) "Quid tam difficile quod non solertia vin—" (What so difficult that skill will not overcome?) and the monogram "T. E. O." (3) A coat of arms, a lion surmounted by a crescent. (4) Similar to (3). (5) Five-pointed star on the triangular



fig 123.
Old Carved Stones
near the
Tomb Buildings.



fig 4
Old Carved Stone
Kingswell Lane, Banff.

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[illegible]

and, therefore, the corresponding β is not a function of α . The β value in the optimal solution appears to decrease as α increases, as is apparent from Figure 1.

[illegible][illegible][illegible][illegible]

and the following conditions are satisfied:

$\ell_{\text{eff}} = \ell_0 \sqrt{1 + \frac{1}{2} \frac{v^2}{c^2}}$ (see also [10]). The relativistic velocity addition formula [11] is



1862.

May 1.—Mr. John Allan appointed Joint Town Clerk.

June 7.—The Earl Fife purchased part of the Waterside or Green Banks.

space over the window. (6) The letters "T. E. O." as a monogram. A stone, apparently from a window, but now built into a wall at the back of the house, similar to (1), has the initials "E O," and underneath "Eliza Ogilvy," enclosed within a triangle. The gateway has elaborate carvings—a coat of arms, bearing a lion, with two crescents above and a mullet below, and beneath all the initials "T O" and "E O." Above all is a five-pointed star, the monogram "T E O," and the motto "Secundat vera fides." Remarks on this and other old houses within the burgh are reserved for Vol. II.

- (4) After passing an old house that belonged to the Duffs of Hatton, and of which an illustration appears in this work, we enter a passage on the west side of the High Street, nearly opposite the Episcopal Chapel. Here is an inscription—"JOHN MVRRAY . JEAN GRAY . 1693." The towers on the opposite side of the street, near the top of the Back Path, bear the date "1736."
- (5) In 1879, on the erection of premises for Mr. Alexander Lawrence, grocer, in High Street, opposite the top of the Back Path, part of the old property at Bishop Kyle's close had to be demolished, and an interesting feature was removed in the arched gateway forming the entrance to the court. The old house and gateway were erected, and the court formed, in "1718," which date is preserved in the wall of the new erection.
- (6) In front of the house, at the top of the Back Path, is inscribed "George Massie and Elspet Morison 1739. God's Providence is our Inheritance." A sun-dial is affixed to a corner of the house.
- (7) The carvings of the arms of the burgh—the Virgin and Child—and of the arms of Scotland, referred to at T. C., 1825 and 1861, and now built into the wall near the steeple—illustrations of which carvings are given—were evidently taken from the Burgh Cross, when it was removed to its present site. The Burgh Accounts show that the Cross was erected in 1628.
- (8) On the Market archway: "Erected 1831. Geo. G. Robinson, Provost."
- (9) Over a window of a house near the foot of the Strait Path, north side:—

"16. 99

JOHN . ANDERSON . HELEN . OGILVIE "

and at the side of the window:—

"O MORTALL . MAN . SEEK . THOU . THE . LORD .
 THY . RISE . AND . FALL . KEEP . IN . RECORD
 IN . WHAT . ESTATE . SOEV'R . THOU . BEE
 OBEY . AND . THANK . HIS . MAIESTIE "

- (10) "1675" on the corner house at the junction of Carmelite Street with High Shore.

1863.

A site is granted for a two-gun battery on the links.

The tenement in Old Market Place is sold by the Town Council to the proprietors of the *Banffshire Journal*.

- (11) On what was formerly called "Saunders's Heritage," in Carmelite Street, is an exceedingly well-carved and well-preserved coat of arms, surmounted by the date 1675, and with the motto "Nil Virtuti arduum," and with the initials "I G" and "I S". A stone in the churchyard explains the arms, for it bears the inscription "John Gordon Janet Sanders 20 Agvst 1668," the stone having probably then been erected to the memory of some of their family.
- (12) "NIL VIRTUTI ARDUUM" on a stone recovered from a drain at the back of the Town House. This must be either taken in connection with No. 11, or explained as the motto of Robert Innes, N. P. and Town Clerk.
- (13) "R T I R" on the northmost house in Water Lane. At × the four initials appear
× in monogram. They are the initials of Robert Turner and Janet
1.6 .75" Rhind.
- (14) "1780. Ornatur radix fronde. I. I."—on Castle Panton in Bridge Street, the residence of James Imlach.
- (15) "J. D. . . E. S. 1770" on Royal Oak, Bridge Street.
- (16) On the inside of the screen wall immediately south of the Commercial Bank are two inscribed stones, presumably from Provost Stewart's house. The one bears a coat of arms, surmounted by the motto "Viresco," while at the side are the letters "W S" and "I M," with the date "1674." These are evidently the initials of Walter Stewart and Janet Moir, his wife. Another stone alongside contains the following moral, of apparently about the same date :—

SAY . NA . MAIR .
ON . ME . THAN
YOV . VALD . I
SAID . ON . YE . A . S .

A diligent search has failed to identify the initials "A. S." Nicol's "Banff and Neighbourhood" remarks on the above arms: "The arms of the Steuarts, Provosts of Banff, was placed over the gate of the old tenement, being two grules or sheaves of wheat for Buchan, a crescent and lias as a second son, surmounted by foss azure and argent for Steuarts of the Royal House."

- (17) "16 . A L . I H . 95" on the lintel of an old arched doorway on the High Shore adjoining the Castle Grounds. The Castle was then held by Alexander Leslie and his spouse, Janet Hamilton.
- (18) For the numerous inscribed stones in the old Churchyard, see "The Churchyard," Vol. II.

1864.

May 16.—A letter is submitted from Mr. Hannay, Factor for Lord Fife's Trustees, offering to the Provost and Magistrates a grant of the old houses lying on the west of, and contiguous to, the churchyard, they undertaking to see that the improvements specified by Lord Fife should be carried out, viz., to demolish the old buildings and continue the wall and railing now in progress round the other parts of the churchyard, which grant is accepted and the thanks of the Council offered to his Lordship.

1865.

December 13.—In 1835 £9000 of Mr. Cassy's Trust Funds was lent to the Town Council. The Court of Session suggests that the Trustees should uplift said sum. The Council accordingly resolve, for repayment thereof, to set aside £1500 still unpaid of the purchase price of the salmon fishings, and to sell four parks on the south side of Boyndie turnpike road, called the Newlands parks, also to sell Lemmon's Park in the Gallowhill, and four houses in St. Catherine Street.

1866.

June 5.—The Council agree to allow the Board of Trade to erect a shed for Manby's Apparatus at the west end of the Battery Green, at a ground rent of 10s. per annum.

June 18.—The sum of £89 3s. 7d. (£100, less legacy duty) received by the Magistrates from the executors of the late Misses Elizabeth and Grace Russel of Aberdeen, the interest of which is to be applied in keeping in complete order and repair the tombstones over the graves of their grandfather, the late Thomas Russel of Rathen, lying contiguous, and in upholding the enclosure, and if necessary in renewing and rebuilding the said tombstones and enclosure, and the surplus to be applied by the Magistrates to any charitable purpose.

August 18.—The sanction of the Council is granted to the Royal National Life Boat Institution to erect a Life Boat house at Palmer Cove at a ground rent of 2s. 6d. Stg. *per annum*.

1867.

May 8.—Intimation made that William Duff of Mayen had bequeathed the residue of his estate to Banff Dispensary and Chalmers' Hospital, or to establish a bursary at Banff Academy. The Trustees adopt the latter alternative.

October 5.—Miss Strachan of Cortes bequeaths £500 to the Magistrates for Pirie's School.

1869.

February.—Certain stances of ground, parks and other subjects sold by the town.

1871.

Golf Club instituted.

The mail train which leaves London at 8.40 p.m. arrives at Aberdeen at 12.20 p.m. next day, and at Macduff (Banff) at 3.40 p.m.*

The new County Court-House buildings were formally opened on 28th January by Sheriff Gordon.†

1872.

Certain portions of the ground at Painted Effie, now called Scotston, "perpetually alienated in feu from the burgh for payment of a feu-duty of 10s. 6d. to 15s. each yearly."

1873.

February 3.—William Farquhar of Struan Cottage, near Aberdeen, bequeathed to the Magistrates and Town Council £400 for preserving the Old Churchyard of Banff in good and decent order, and in providing that

* In 1891 the mail train which leaves London at 8 p.m. arrives at Aberdeen at 8.5 a.m. next day, and at Banff (Bridge) at 11.20 a.m.

† The total expense of the building and furnishings was about £7200, of which the Treasury paid one-half. The proportion paid by the County, on a rental of £188,712, was £3553; by the burgh of Banff, on a rental of £9275, was £175; and by the burgh of Cullen, on a rental of £3204, was £60. A question arose in this year at a County Meeting as to the right of property in the old Court buildings. The opinion of counsel that had been obtained in 1842 was submitted. This opinion was to the effect that the building belonged to the burgh, but that there was a preferential right in favour of the County to the use of the County Hall and Court House.

the tombstone to the memory of his family and the railing be kept in proper repair. This sum was not paid in full [19s. per £], his property in Gibraltar not having been realized.

March.—Provost Wood expressed the regret of the Council at the death of Mr. George R. Forbes, who had been Depute Town Clerk and Town Clerk for fifty-four years.

1875.

May 3.—£140 Stock of the G. N. S. Railway sold by the burgh for £96 2s. 4d.

May.—The Institution for Science, Literature and Arts is dissolved, and the property and effects are handed over to the Town Council, who intimate their acceptance thereof.*

October 15.—A public meeting resolves not to adopt the Public Libraries Acts.

1877.

October 1.—The Town Council agree to allow Rev. Dr. and Mrs. Blaikie, Edinburgh, to erect an ornamental fountain in memory of the late Mr. and Mrs. Walter Biggar.†

* The Museum contains a good collection of objects, comprising a large number of fossils, rock specimens and minerals, contributed by Mr. J. Horne, F.R.G.S., and others, flint arrow heads, stone axes, and bronze weapons, urns from Towie, Careston, Auchmore, and Home Farm, Cullen, a very curious figure, apparently of a boar's head, from Leitcheston, a very interesting and rare specimen of a Pieta from the old church, a number of querns, the bone of one of the forepaddles of the Plesiosaurus dolichodeirus found in digging a mill-dam at Inverichnie in 1822, numerous relics of Ferguson, the astronomer, a fiddle that belonged to Isaac Cooper, teacher of music in Banff, and author of Miss Forbes's "Farewell to Banff," the old Banff Stocks, leg locks used in Banff, the Linlithgow bushel measure of 1707, a bronze vessel of 1641, and old oak panels from Banff, Rathven Church, &c., also Roman and other coins and a 5s. bank note. There is also a good collection of local birds and other animals, a collection of local shells made by Thomas Edward, the Naturalist, a collection of shells from Java, Roman lamps, war clubs from the Fiji Islands, a large collection of interesting curiosities from the South Sea Islands, made by Captain Braithwaite of the New Hebrides Missionary Ship "Dayspring." A skull bears the following inscription: "Macpherson's Skull. Portion of skull and other bones dug up from Macpherson's grave, Gallowhill. This celebrated freebooter and talented violinist was executed at Banff (and not at Inverness, as erroneously stated by Burns, Scott, Hogg, &c.) on Friday, 16th November, 1700." In connection with the Museum is a small library, containing the "Acts of the Parliament of Scotland," "Register of the Great Seal," "Exchequer Rolls," and similar publications.

† The fountain is a highly ornamental structure of Binny freestone, ten and a half feet square, and nineteen feet in height, designed by Mr. John Rhind, sculptor, Edinburgh, a native of Banff. Mr. Walter Biggar was born in Edinburgh in 1787, and having settled in Banff in 1821, became the founder of the Continental herring trade. An inscription on the fountain bears that it was "presented to the town of Banff in memory of Walter Biggar, Esq., and Mrs. Ann Duff, his wife," whose only child is Mrs. Blaikie. The donors of the fountain mortified £50 for its maintenance.

Y Y

1878.

October 4.—“On Tuesday last, while excavating for the foundation of the Biggar Fountain, workmen came upon a bottle covered by a stone, which bottle contained a sheet of vellum, with writing, of date August, 1819, at which time Low Street was levelled and newly paved.” *

1880.

January 5.—Seventy-five fishermen have since last meeting paid 4s. for beaching boats on the Green Banks.

July 5.—The Provost and Bailie George report that they had satisfied themselves that the bar between the river mouth and the Palmer Cove belongs to the burgh.

Names of fishermen now resident in Banff, with their to-names : Alexander Mair “Boben,” Alexander Mair “Scott,” George Pirie “Priest,” William Wood “King,” Alexander Wood “Wildie,” John Wood “Park,” James Wood “Doo,” George Mair “Shanker,” &c.

November 6.—The Commissioners of Police adopt the “General Police and Improvement (Scotland) Act, 1862,” as a whole for the Royal Burgh of Banff.

* The record bore as follows :—“In the month of August, Anno Domini 1819, the 59th year of the reign of our venerable sovereign, George the Third, a period when the British nation was at peace with all the world—George Garden Robinson being Provost of Banff; William Robertson, Lewis Cruickshank, and Thomas Wright, bailies; William Reid, town-clerk; Lewis Robertson, chamberlain; James Wright, Dean of Guild; Robert Shand, convener of trades; the Right Honble. James, Earl of Fife, Lord-Lieutenant of Banffshire—which time the inhabitants of this, the Low Street of the town of Banff, made application to the trustees of roads of the district for a grant of the money levied on the citizens for the roads to level and new pave the said street, which was obtained to the extent of thirty-five pounds—a sum of twenty pounds more was contributed by the applicants and other inhabitants by subscriptions voluntarily, and the further sum required to complete the pavement and repairs from the head of Bridge Street round by the Plainstones to the foot of Carmelite Street was allowed by the Magistrates and Council to be issued from the funds of the community, as being a very beneficial public improvement to the burgh. Alexander Mitchell, mason in Banff, executed the work. This is deposited here to record the circumstance, and the stone which covers it on the level of the street is placed to mark the centre of the site of the Old Cross of this ancient burgh of Banff; which Cross, as obstructing the carriage-way of the street, was removed in the year 1767. Whoever may examine this document are enjoined to deposit it again sacredly in the same spot, and to replace the stone above or another one over it, to designate distinctly this ancient land mark of the burgh of Banff, which may God long preserve in prosperity and peace.” The bottle and contents were carefully replaced, along with a copy of the *Banffshire Journal* of 1st October, 1878, and a sheet of parchment containing a statement regarding the fountain.

1881.

August 1.—The Town Council resolve to do all in their power to promote the railway between Portsoy and Elgin.

December 5.—A copy is submitted of the decree of disjunction of and the formation of Macduff into a separate Registration District for the Registration of Births, Deaths, and Marriages.

1882.

January 18.—H.R.H. the Duke of Edinburgh, in connection with his official duty at the Coast Guard Station, visits Banff, when a demonstration in his honour takes place.

March.—Regulations drawn up for keeping the links in proper condition.

June 5.—Provost Coutts resigns after nearly 19 years' service to the public.

December.—Thomas Edward, Curator of the Museum, resigns. He had been connected with the Museum for 30 years.*

1883.

November 13.—H.R.H. the Prince of Wales visits the Earl Fife at Duff House.

1885.

Visit of the members of the British Association to Banff, on the invitation of the Earl of Fife.

1886.

July 5.—The thanks of the Council voted to Mr. Tulloch, Aberdeen, for obtaining acceleration of the North mails, which had conferred an incalculable benefit on the district.

* Mr. Edward, A.L.S., whose residence, it may be remarked, was at No. 3 Low Shore, became well known to the literary and scientific world by the publication of Dr. Samuel Smiles' attractive "Life of a Scotch Naturalist."

The funds of Farquhar's Bequest amount to £160. Miss Russel's Bequest consists of £90, invested in the hands of the Banff Harbour Trust, and £39 7s. 4d. in the Savings Bank.

1887.

Great rejoicings in Banff and Macduff in celebration of the Queen's Jubilee.

1888.

Abolition of the Petty Customs of the burgh.

Loan of £10,000 from the Scottish Equitable Life Assurance Society to consolidate the debts of the burgh.*

1891.

Population of the Municipal Burgh, 3871.†

* Mr. John Allan, Town Clerk, was awarded the special thanks of the Council for the satisfactory manner in which he had conducted the negotiations for the loan. The loan was for seven years at 4½ per cent. In referring to the loan, Provost Williamson stated that a valuation had been lately made of the burgh property, the amount being £15,962, which valuation had been accepted by the Company granting the loan. [The Parliamentary Commissioners in 1833 objected to the high valuation then put on the property of the burgh.] The Provost further explained that the total prestable debt was not over £9536, as on the sum of £983 the burgh was not liable to pay the capital so long as the interest was duly paid.

† The following figures show the population, &c., at various dates:—

<i>Burgh.</i>				<i>Parish.</i>			
1782	-	-	-	1755	-	-	-
1797	-	-	-	1797	-	-	-
1831	-	-	-	1801	-	-	-
1851	-	-	-	1811	-	-	-
1861	-	-	-	1821	-	-	-
1871	-	-	-	1831	-	-	-
1881	-	-	-	1841	-	-	-
1891	-	-	-	1851	-	-	-
<i>Parliamentary Burgh.</i>				1861	-	-	-
1851	-	-	-	1871	-	-	-
1861	-	-	-	1881	-	-	-
1871	-	-	-	1891	-	-	-
1881	-	-	-				

Amount of Burgh Debts and Property :—

<i>Debts.</i>					<i>Interest of Debts.</i>				
1765	-	-	-	£183	1833	-	-	-	£615
1770	-	-	-	£240	1840	-	-	-	£561
1775	-	-	-	£308	1855	-	-	-	£555
1783	-	-	-	£1700	1864	-	-	-	£550
1786	-	-	-	£1593	1865	-	-	-	£540
1817	-	-	-	£8954	1872	-	-	-	£426
1819	-	-	-	£9226	1878	-	-	-	£400
1831	-	-	-	£14,194	1880	-	-	-	£426
1833	-	-	-	£14,298	1883	-	-	-	£412
1835	-	-	-	£14,096	1886	-	-	-	£416
1840	-	-	-	£15,043	1890	-	-	-	£467
1858	-	-	-	£15,405	1891	-	-	-	£467
1877	-	-	-	£10,853					
1887	-	-	-	£10,458					
1891	-	-	-	£10,923					

<i>Property and Funds of the Burgh.</i>					<i>Valuation Roll of the Burgh.</i>				
1817	-	-	-	£16,362	1861	-	-	-	£8472
1833	-	-	-	£22,961	1873	-	-	-	£9417
1835	-	-	-	£18,732	1876	-	-	-	£10,615
1858	-	-	-	£24,359	1878	-	-	-	£10,967
1877	-	-	-	£19,872	1891	-	-	-	£11,982
1878	-	-	-	£19,112					
1887	-	-	-	£19,308					
1888	-	-	-	£15,962					
1889	-	-	-	£16,216					
1890	-	-	-	£16,195					
1891	-	-	-	£16,142					

KEY TO PLAN OF BANFF, 1823.

Names of Proprietors.

SANDY HILL ROAD.

1. William Reid.
2. James Allardyce.
3. James Laird.
4. Heirs of P. Cassie.
5. William Allardyce.
6. James Johnston.
7. Alexander Mitchell.
8. John Smith.

HEAD OF THE YARDS.

1. James Cumming.
2. Mrs. Mollison.
3. William Davidson.

HIGH STREET—*West side.*

- 1.
2. Miss Abercromby.
3. Robert Weir.
4. John Rhind.
5. Mr. Coil.
6. Lord Seafield.
7. Incorporation of Weights.
8. Incorporation of Shoemakers.
9. Garden Duff of Hatton.
10. John Smith.
11. Alexander Tillary.
12. Alexander Docher's heirs.
13. Mrs. Brown.
14. Capt. Russell.

East side.

15. Gardeners' Society.
16. Col. G. G. Robinson.
17. P. Grant.
18. St. Andrew's Church.
19. Dr. Smith.
20. Stuart Souter, Esq.
- Parish Kirk.

LOW STREET.

- Earl of Seafield.
- Mrs. Harden.
- John Watt.
6. Andrew Wilson.
7. Bank.
8. Messrs. J. & G. Imlach.
8. Mrs. Abernethy.
9. Trades' Hall.
10. Mr. Reid.
11. Town's property.
12. County Hall, Town House, &c.
13. James Fraser.
14. Thomas Wright.
15. Grant's Hotel.
- Earl of Fife.

BRIDGE STREET—*North side.*

1. St. Andrew's Masons.
2. Mr. Panton.
3. Royal Oak Inn—Mr. Allan.
4. Heirs of Walter Miln.
5. Alexander Allaster.
6. Alexander Allan.
7. Peter Leith.
8. James Cassie.
9. Capt. Cameron.

South side.

1. James Fraser.
2. Miss Cowie.
3. John Bruce.
4. William Robinson, Esq.
5. Heirs of James Dick.
6. John Keith.
7. } Jas. Fraser and Jas. Cumming.
8. }
9. Heirs of James Dick.
10. Mt. Duncan.

MARKET PLACE—*East side.*

1. Banff Academy.
2. Alexander Glenney.
3. Mrs. Murray.
4. Heirs of William Wilson.
5. Alexander Tillary.
6. Mrs. Ogilvy.
7. John Duncan.

West side.

1. St. Andrew's Masons.
Do., and Whyte's Inn.
2. County Cess and Tax Office.
Capt. Young.
3. Meal Houses.
4. Petty Custom House.
5. Shambles.

REID STREET.

1. Capt. Reid.
2. George Reid.
3. Methodist Chapel.
1. Capt. Reid's Creditors.
2. John Mitchell.

CARMELITE STREET—*North side.*

1. Andrew Morison.
2. Town's property.
3. John Smith.
4. George Alexander.
5. Heirs of John Garden.
6. Janet Philp.
7. James Stevenson.
8. John Wilson.
9. The Earl of Fife.

South side.

1. James Wright.
2. George Alexander.
3. Sir George Abercromby.
4. Secession Church.
5. Capt. Reid.
6. Heirs of Alexander Pirie.
7. Poor's House.
8. Capt. Reid.

DUFF'S LANE.

1. Earl of Seafield.
2. Earl of Fife.
3. John Wilson.

HIGH SHORE—*East side.*

1. Earl of Fife.
2. John Richardson.
3. James Allan.
4. Heirs of James Gordon.
5. Alexander Cormack.
6. Miss Davidson.
7. Mr. Robertson.
8. Alexander Rennie, Esq.
9. James Paterson.
10. Alexander Tillary.
11. Thos. Wilson and Wm. Philip.
12. William Stevenson.

West side.

1. George Alexander.
2. Rev. Mr. Greg.
3. Miss Innes.
4. Earl of Fife.
5. John Cowie.
6. Rev. Mr. Greg.
7. Manse—Rev. Mr. Grant.
8. Mr. Cormack.
9. Comml. Bank—Hugh Cross, Esq.
10. Mrs. Duff.
11. Earl of Seafield.

WATER LANE—*East side.*

1. Tailor's Incorporation.
2. Major McKilligan.
3. William Robinson, Esq.
4. Miss Robertson.

West side.

1. Mrs. Smollet.
2. Mr. Chalmers.
3. Col. James Robinson.

STRAIT PATH.

1. Miss Robertson.
2. George Niel.
3. James Simson.

STRAIT PATH—*South side.*

1. William Urquhart.
2. Alexander Henderson.
3. James Joiner.
4. Gardeners' Society.

BOYNDIE STREET—*North side.*

1. McKilligan & Robertson.
2. Provost Robinson.

South side.

1. Capt. Russell.
2. William Robinson, Esq.
3. John Nicol.

GALLOW HILL STREET.

1. James Johnston.
2. James Cumming.
3. Adam Mason.
4. William Tennant.
5. Peter Herd.
6. Alexander Walker.
7. James Walker.
8. James Tulloch.
9. William Watson.
10. Alexander Murdoch.
11. John Nicol.
12. Widow Anderson.

CASTLE STREET—*West side.*

1. McKilligan & Robertson.
2. Provost Robinson.
3. Post Office—Earl of Seafield.
4. Jean Smith.
5. Mr. Angus.
6. David Wemyss.
7. Andrew Wilson.
8. Major McKilligan.
9. Rev. Mr. Gibb.
10. Independent Chapel.
11. } James Brown.
12. }
13. } Soapery Company.
14. }
15. James Johnston.
16. Brewery Company.

CASTLE STREET—*East side.*

1. Col. James Robinson.
2. A. Chalmers.
3. Mrs. Smollet.
4. Bailie Cruickshank.
5. Andrew Wilson.
6. Heirs of James Clerk.
7. St. John's Lodge.
8. James Chalmers.
9. Incorporation of Weavers.
10. James Sim.
11. Heirs of Provost McKilligan.

SHERIFF BRAE.

Bailie Cruickshank.

ST. CATHERINE STREET.

1. Jean Smith.
2. Capt. Duff McKay.
3. James Sim, Esq.
3. Mr. Richardson.
4. Capt. Wilson.
5. Heirs of Thomas Milne.
6. Heirs of George Lyle.
7. Town's Property.
8. Adam Mason.
9. Andrew Wilson.
10. Mr. Symon.
11. Alexander McQueen.

BACK STREET—*North side.*

1. Soapery Company.
2. Alexander Chalmers, Esq.
3. Heirs of William Milne.
4. John Milne.
5. James Paul.
6. Alexander Glenie.
7. John Rhind.
8. James Smith.
9. William Milne.
10. Alexander Glenie.

South side.

1. W. Brown.
2. Peter Simpson.

3. W. Laing.
4. W. Dick.
5. Pirie's School.
6. John Watt.
7. Ploughman Society.
8. Mr. Bartlet.
9. Capt. Young.
10. Capt. Lovie.
11. Heirs of James Craig.

FIFE STREET—West side.

1. John Smith.
2. Mrs. McConachie.
3. Adam Mason, Custom House.

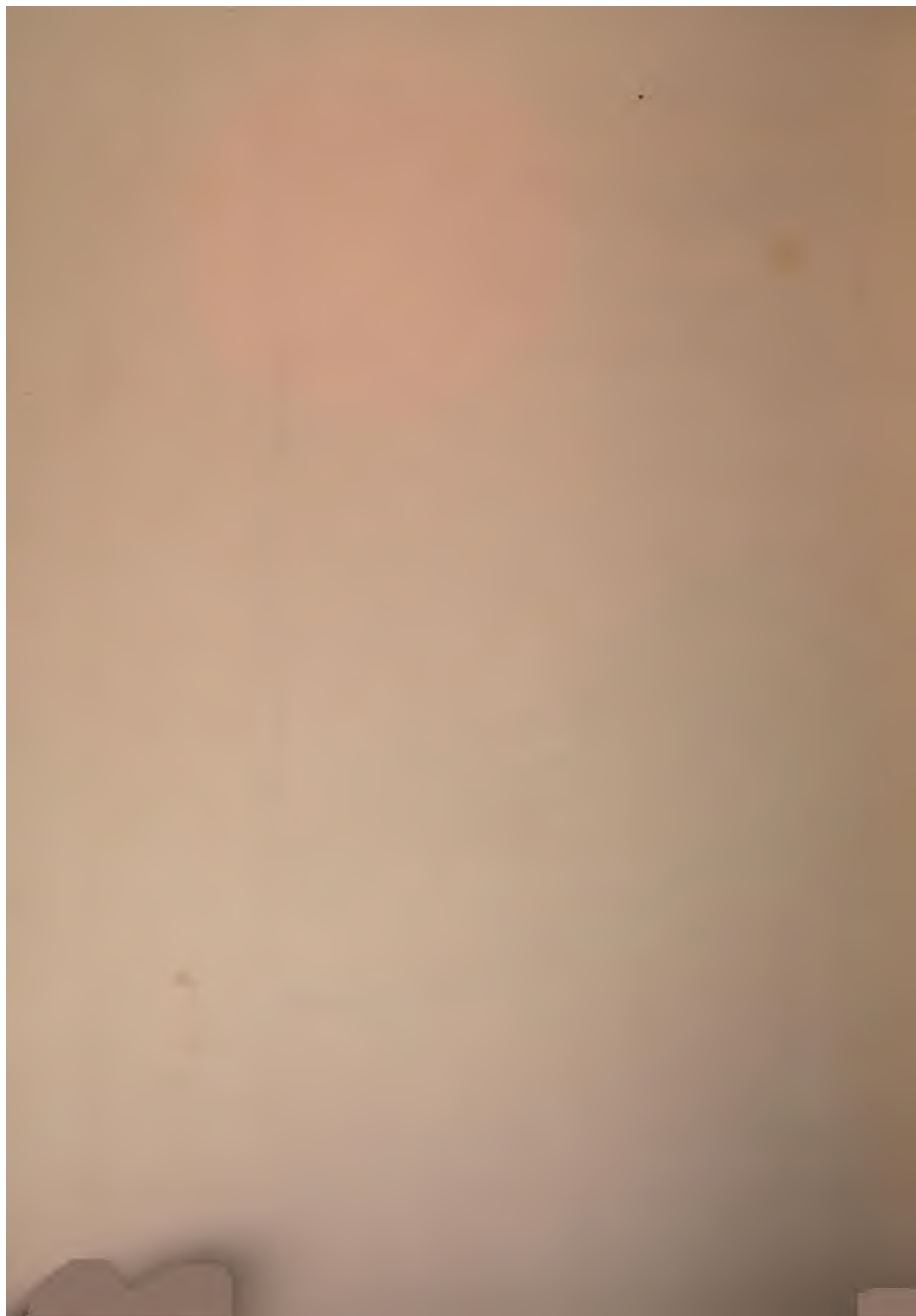
4. James Petrie.
5. Ploughman Society.
6. Smith & Rhind.
7. John Rhind.
8. Alexander Mitchell.
9. Ropery. Brewery Company.

East side.

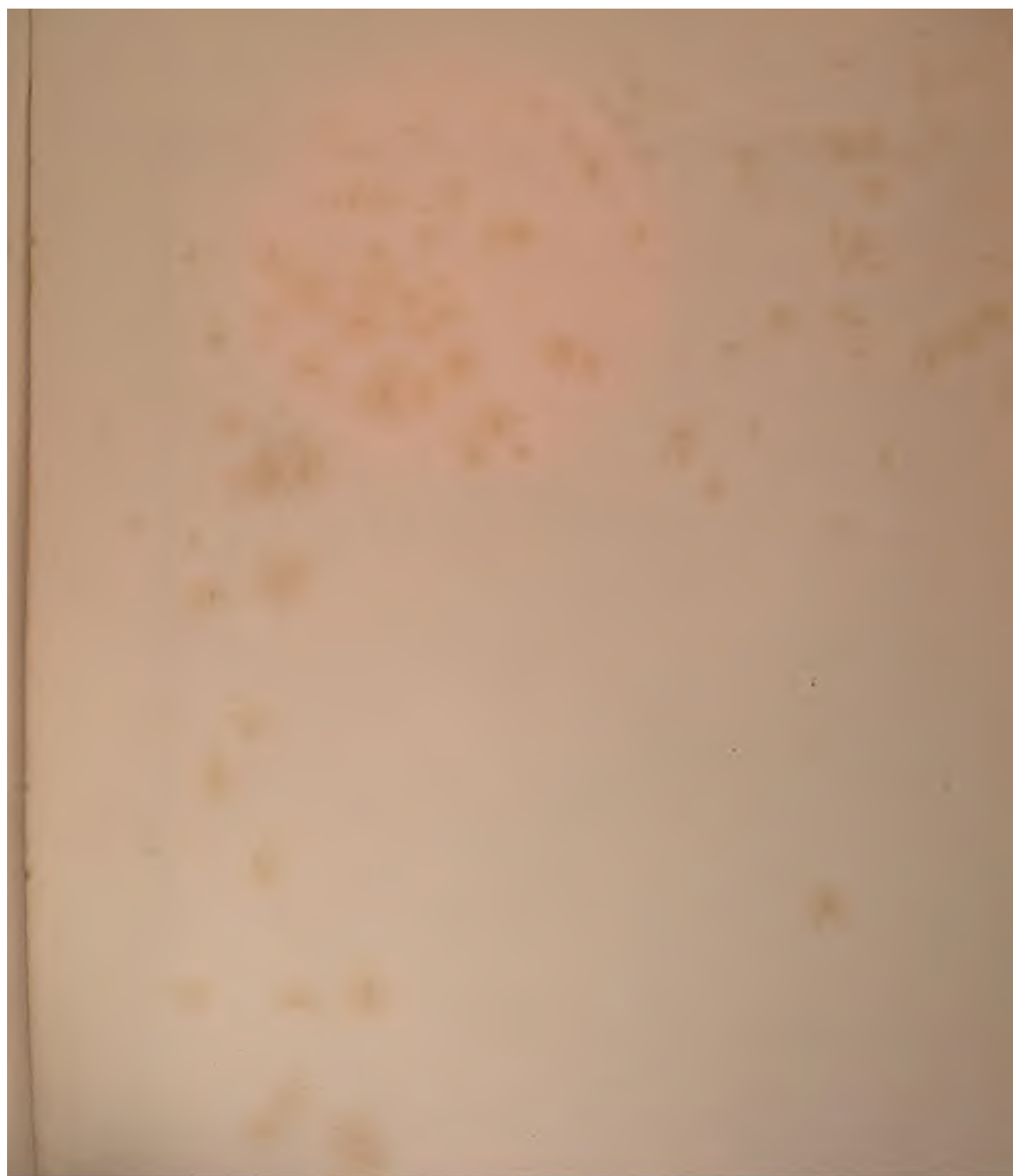
1. Capt. Wilson.
2. Alexander Glenie.
3. Alexander Hossack.
4. John Watt.
5. Mrs. Simpson's Creditors.
6. Mrs. Rose Innes.











Bank & Bay

A

Walter Hurza

Purhe

George G. G.

Walter Ogilby

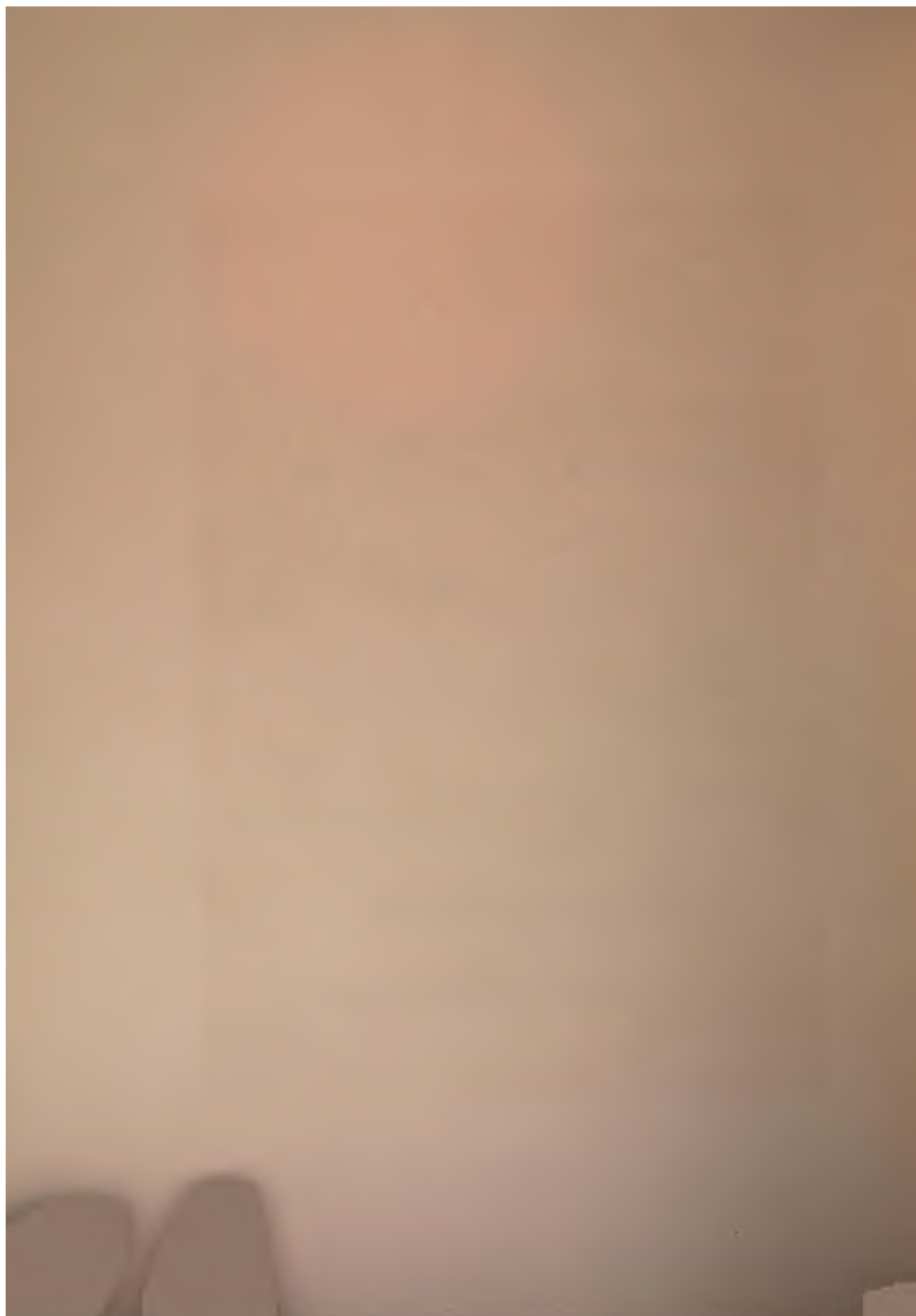
Smellator

Wm. D. D. D.

Findlater & Seafield

Findlater & Seafield

Heritors.



B

William Lloyd

12

Macduff Braco

Five Five

15

16

15
Life
17

17

17
 & *Mr. Gillies*
 18

18

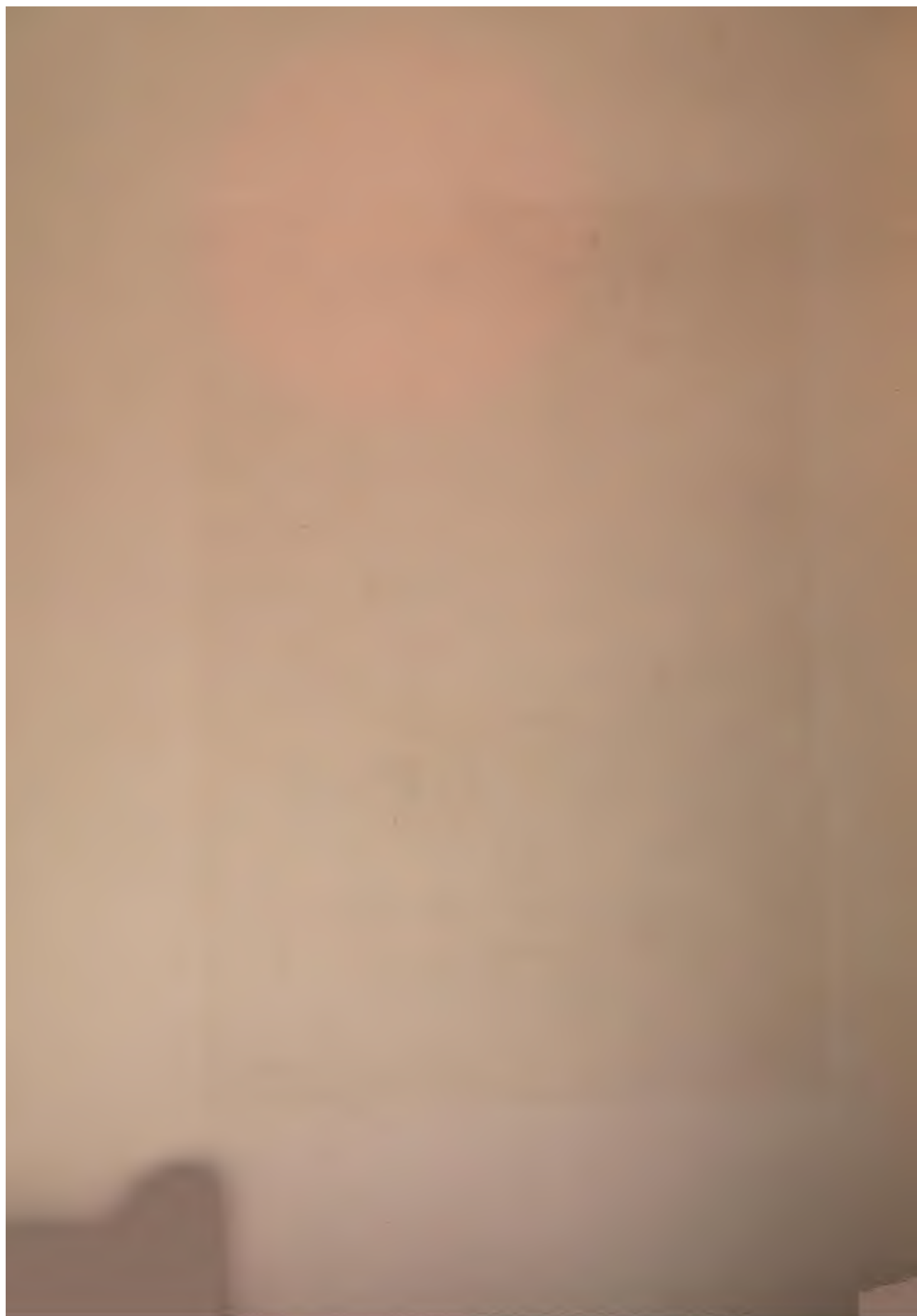
Geo. Abernethy

19

Peter Knell

20

Heritors.



Alexander Selony²¹

Alexander Sobor²² ^C

Lab James (with: Hunter²⁴)
²³

James Jones²⁵ and Mary²⁶

W. S. Bruce²⁷

W. B. Zanin²⁸

Pa²⁹ string

W. B. Zanin³⁰

W. B. Zanin³¹

W. B. Zanin³²

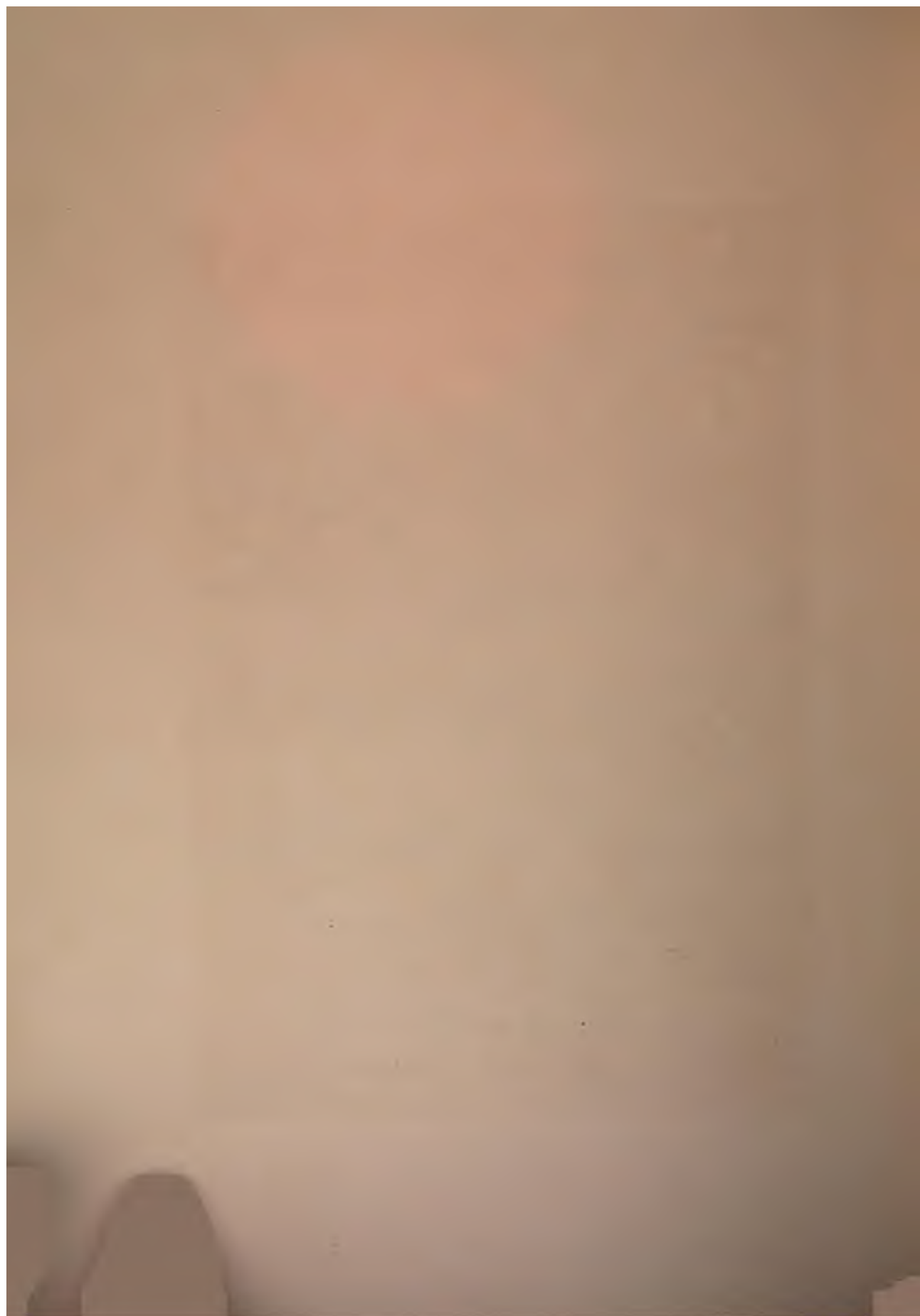
Nos 21-27
Ministers.

W. B. Zanin³³

Nos 28-33
Schoolmasters.

Wm: Mitchell ³⁴ M^D Morrison ³⁵
Dab: panton ³⁶ J^r Morrison ³⁷
Geo: Reid ³⁸ Paul Keith ³⁹
George Robertson ⁴⁰ R: Alves ⁴¹
George Chapman ⁴²
Mr. Johnston ⁴³ Alex^r Wilson ⁴⁴
James Morice ⁴⁵
John Quickshank ⁴⁶

Schoolmasters



George Ogilvy ^E Walter Ogilvy
77 78

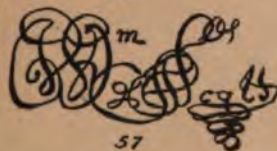
John Ogilvy
79

George Baird
80

James Baird & Angus Mac
51 52
Alex Leslie wa: stonart
53 54

Randers
55

Jos. C. G. G.
56


57

Jo. Manke
58

Robert Howard
59

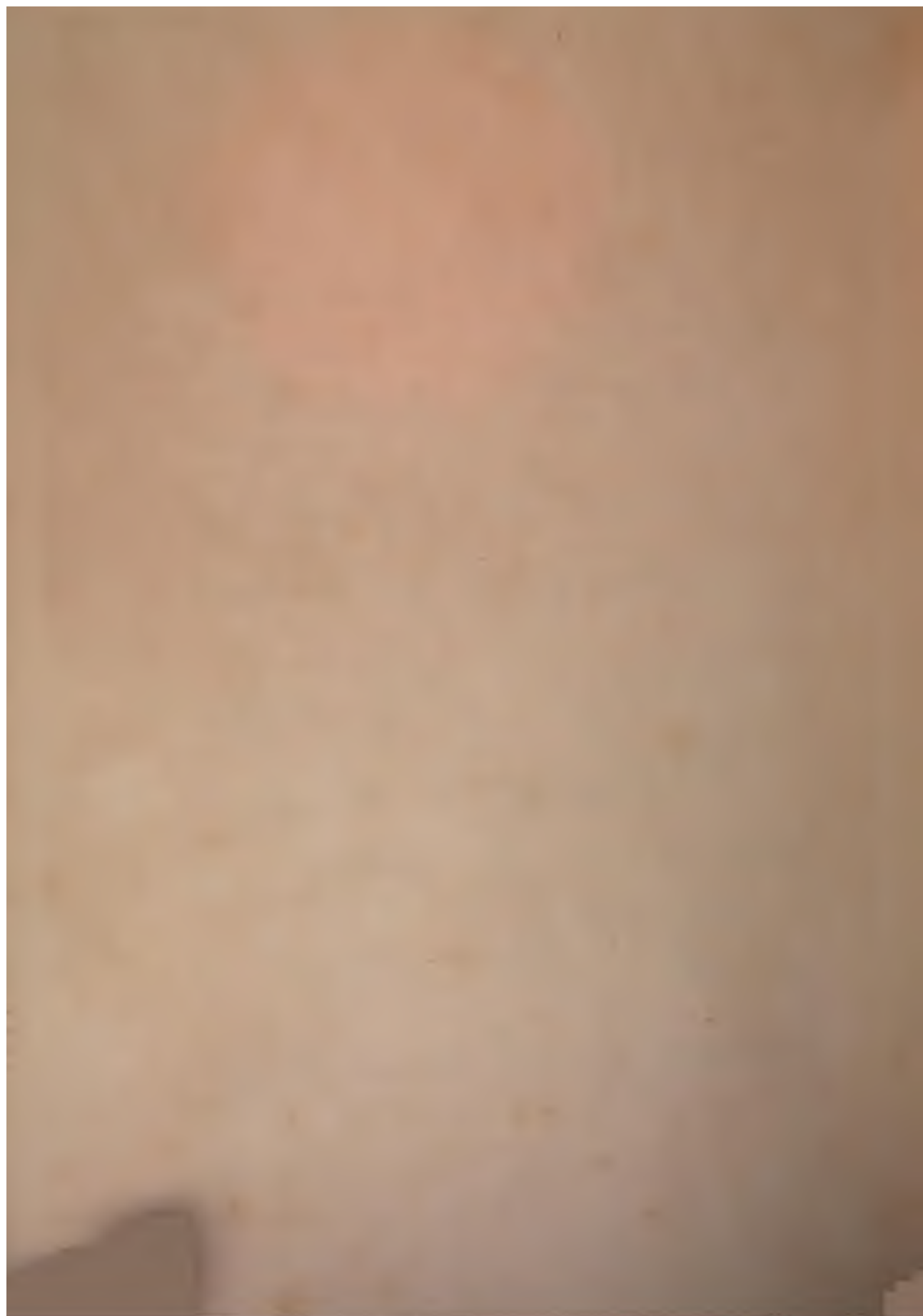
Geo: Gaird
60

W. Dup
61

Wm. James
62

Patrick Forbes James James
63 64

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